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File #: 126931

November 28, 2016

VIA ELECTRONIC FILING

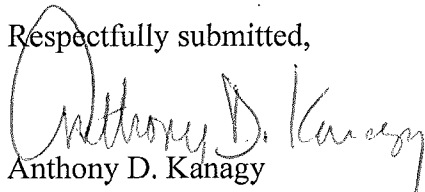
Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor North
P.O. Box 3265
Harrisburg, PA 17105-3265

**Re: Application of NRG Energy Center Pittsburgh LLC for a Certificate of Public Convenience Under Section 1102(a)(1) of the Pennsylvania Public Utility Code to expand its service territory for steam, hot water, and chilled water service into a portion of the Uptown Corridor of the City of Pittsburgh, Pennsylvania
Docket No. A-2016-2570927**

Dear Secretary Chiavetta:

Enclosed for filing is Duquesne Light Company's Notice of Withdrawal of Protest for the above-referenced proceeding. Copies will be provided as indicated on the Certificate of Service.

Respectfully submitted,



Anthony D. Kanagy

ADK/jl
Enclosures

cc: 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).

VIA E-MAIL and FIRST CLASS MAIL

David P. Zambito, Esquire
Cozen O'Connor
17 North Second Street, Suite 1410
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*Counsel for NRG Energy Center
Pittsburgh Inc.*

Tanya J. McCloskey, Esquire
Senior Assistant Consumer Advocate
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Richard Kanaskie, Esquire
Bureau of Investigation & Enforcement
Commonwealth Keystone Building
400 North Street, 2nd Floor West
PO Box 3265
Harrisburg, PA 17105-3265

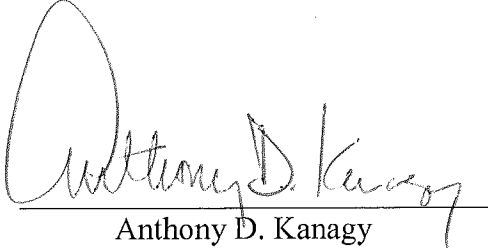
VIA FIRST CLASS MAIL

City of Pittsburgh
Attn: Department of Law
313 City-County Building
414 Grant Street
Pittsburgh, PA 15219

UPMC Mercy
Attn: Mark Kinney
1400 Locust Street
Pittsburgh, PA 15212

City of Pittsburgh Planning Commission
Attn: Department of City Planning
200 Ross Street, Fourth Floor
Pittsburgh, PA 15219

Date: November 28, 2016


Anthony D. Kanagy

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of NRG Energy Center Pittsburgh :
LLC for a Certificate of Public Convenience :
Under Section 1102(a)(1) of the Pennsylvania :
Public Utility Code to expand its service territory : Docket No. A-2016-2570927
for steam, hot water, and chilled water service :
into a portion of the Uptown Corridor of the City :
of Pittsburgh, Pennsylvania :

**DUQUESNE LIGHT COMPANY
NOTICE OF WITHDRAWAL OF PROTEST**

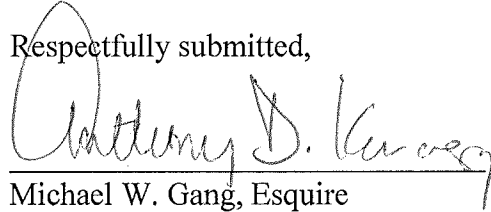
TO THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

Pursuant to 52 Pa. Code § 5.94(b), Duquesne Light Company (“Duquesne Light” or the “Company”) hereby files its Notice of Withdrawal of Protest (“Withdrawal”) in the above-captioned proceeding. In support thereof, Duquesne Light states as follows:

1. NRG Energy Center Pittsburgh (“NRGP”) filed the above-captioned Application on October 6, 2016.
2. On November 7, 2016, Duquesne Light filed a Protest to NRGP’s Application. In its Protest, Duquesne Light expressed its concerns regarding NRGP’s provision of emergency power service (or electric service) to UPMC Mercy, the main hospital of the University of Pittsburgh Medical Center. Duquesne Light indicated that additional clarification was needed regarding NRGP’s provision of electric service to UPMC and to other customers.
3. Duquesne Light and NRGP have had multiple discussions regarding NRGP’s provision of electric service and have entered into a Stipulation, which is attached hereto as Appendix A, that addresses Duquesne Light’s concerns.

4. This Notice of Withdrawal is contingent upon the Pennsylvania Public Utility Commission's acceptance of the Stipulation in the above-captioned proceeding.

Respectfully submitted,



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Duquesne Light Company
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Date: November 28, 2016

Appendix “A”

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of NRG Energy Center Pittsburgh :
LLC for a Certificate of Public Convenience :
under Section 1102(a)(1) of the Pennsylvania :
Public Utility Code to expand its service : Docket No. A-2016-2570927
territory for steam, hot water, and chilled water :
service into a portion of the Uptown Corridor :
of the City of Pittsburgh, Pennsylvania :

STIPULATION

Duquesne Light Company ("Duquesne Light") and NRG Energy Center Pittsburgh LLC ("NRGP") enter into the following Stipulation to resolve all issues raised by Duquesne Light pursuant to Protest filed on November 7, 2016 in the above-captioned proceeding.

BACKGROUND:

On October 6, 2016, NRG filed the above-captioned Application with the Public Utility Commission ("PUC") requesting a Certificate of Public Convenience and Commission authority to provide steam, hot water and chilled water in an additional service territory in the City of Pittsburgh described in Appendix E to the Application (the "Uptown Corridor").

NRGP intends to provide such services from a plant to be sited on the land parcel bordered by Stevenson St., Colwell St., and Our Way (adjacent to PPG Paints Arena) (the "Uptown Corridor Plant").

The initial phase of the project would be built to provide steam, hot water, chilled water and emergency electric backup service to UPMC Mercy Hospital ("UPMC Mercy").

The Uptown Corridor Plant would be built with the intent of expanding and offering steam, hot water, and chilled water services to other potential customers in the Uptown Corridor.

Construction of the Uptown Corridor Plant is expected to begin in early 2017, and the Plant is expected to achieve commercial operations by the beginning of 2018.

NRGP plans to install a dedicated underground electrical cable connecting the diesel generators at the Uptown Corridor Plant to UPMC Mercy to provide emergency power service to UPMC Mercy.

Duquesne Light and NRGP stipulate as follows:

1. The emergency power service provided by the Uptown Corridor Plant to UPMC Mercy will be limited solely to times when Duquesne Light is experiencing a grid outage or disturbance or for testing purposes or other times or circumstances where UPMC Mercy requires emergency power, provided that the Uptown Corridor Plant may participate in the programs set forth in paragraph 2 below.

2. The generation assets at the Uptown Corridor Plant may be used for PJM demand response, peak demand shaving purposes or equivalent programs, provided that NRGP will not use the generation or any proposed electric distribution assets at the Uptown Corridor Plant to shed UPMC Mercy's load (other than allowed in paragraph 1 above) or the load of any other customer of the Uptown Corridor Plant without obtaining PUC approval or a determination from the PUC that no approval is required. Any such filing with the PUC will be served on Duquesne Light.

3. NRGP, on behalf of itself and its affiliates, agrees not to provide electric service through a distribution system other than owned by Duquesne Light within Duquesne Light's service territory, other than as allowed in this Stipulation, without sending letter notification to Duquesne Light at least forty-five (45) days prior to the commencement of any construction activities related to the electric service. The letter notification will identify the customers that

will be served, what service will be provided and how service will be provided. NRG also agrees to cooperate in providing additional information to Duquesne Light with respect to such electric service upon request.

4. In reliance on the facts and agreements in the Stipulation and the filing of this Stipulation with the PUC, Duquesne Light agrees to withdraw its Protest to the above-captioned Application of NRG and will not make any further appearance in the above-captioned proceeding or otherwise oppose NRG's above-captioned Application or the referenced project. Should the PUC refuse to allow Duquesne Light to withdraw its Protest, this Stipulation shall be null and void with no further obligation by NRG or Duquesne Light.

Attest: Duquesne Light Company

David T. Fiofis

David T. Fiofis

Vice President & Corporate Secretary

Attest: NRG Energy Center Pittsburgh LLC

Clifford E. Blasiford

Clifford E. Blasiford

Vice President, General Manager