



Emily M. Farah
Counsel, Regulatory

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

Tel: 412-393-6431
efarah@duqlight.com

September 22, 2020

Via Electronic Filing

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

Re: Application of Duquesne Light Company filed Pursuant to 52 Pa. Code Chapter 57, Subchapter G, for Approval of the Siting and Construction of the 138 kV Transmission Lines Associated with the Brunot Island - Crescent Project Docket No. A-2019-3008589

Application of Duquesne Light Company under 15 Pa.C.S. § 1511(c) for a Finding and Determination That the Service to be Furnished by the Applicant through Its Proposed Exercise of the Power of Eminent Domain to Acquire a Certain Portion of the Lands of George N. Schaefer of Moon Township, Allegheny County Docket No. A-2019-3008652

Dear Secretary Chiavetta,

Enclosed please find a copy of Duquesne Light Company's Prehearing Memorandum, submitted pursuant to the Prehearing Order dated August 24, 2020 in the above-consolidated proceedings.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "Emily M. Farah".

Emily M. Farah
Counsel, Regulatory

Enclosure

cc: Certificate of Service (w/ encl.)

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Prehearing Memorandum of Duquesne Light Company 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):

BY ELECTRONIC MAILING ONLY

Honorable Mary A. Long
Piatt Place Downtown
301 Fifth Avenue #220
Pittsburgh, PA 15222
malong@pa.gov

Victoria Adams
306 Konter Road
Coraopolis, PA 15108
adamsvic@gmail.com

Dennis J. & Jeanne M. Zona
108 Wynview Drive
Coraopolis, PA 15108
dzona108@verizon.net

John P. & Jennifer A. Crowe
1123 Juanita Drive
Coraopolis, PA 15108
Jacrowe4@gmail.com

Richard I. Gable
126 Flaugherty Run Road
Coraopolis, PA 15108
Rgable7@outlook.com

Zachariah Nave
7 McGovern Boulevard
Crescent, PA 15046
zaknave@yahoo.com

Joe & Suzanne Rabosky
104 Wynview Drive
Coraopolis, PA 15108
Josuz69@comcast.com

Aaron Siegel
110 Wynview Drive
Coraopolis, PA 15108
siegelad88@gmail.com

Folezia Marinkovic
205 Purdy Road
Crescent, PA 15046
fmarinkovic@comcast.net

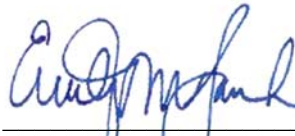
Cynthia & Patrick Wilson
9 McGovern Boulevard
Crescent, PA 15046
chamberlinsc@comcast.net

McNees Wallace & Nurick, LLC
Pamela Polaecek
Kenneth R. Stark
Ade Adeniyi (*Pro Hac Vice Motion Pending*)
100 Pine Street
PO Box 1166
Harrisburg, PA 17108-1166
ppolacek@mcneeslaw.com
kstark@mcneeslaw.com
aadeniyi@mcneeslaw.com
Counsel for Allegheny County Sanitation Authority

BY US MAILING ONLY

Doug & Linda Meyer
111 Wynview Drive
Moon Twp, PA 15108-1032

Joanne Rushman
102 Westbury Drive
Moon Township, PA 15108



Emily M. Farah, Esq.
Duquesne Light Company
411 Seventh Avenue, 15-7
Pittsburgh, PA 15219
412-393-6431
efarah@duqlight.com

Date: September 22, 2020

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of Duquesne Light Company filed : A-2019-3008589
Pursuant to 52 Pa. Code Chapter 57, :
Subchapter G, for Approval of the Siting and :
Construction of the 138 kV Transmission :
Lines Associated with the :
Brunot Island - Crescent Project in :
the City of Pittsburgh, McKees Rocks Borough, :
Kennedy Township, Robinson Township, :
Moon Township, and Crescent Township, :
Allegheny County, Pennsylvania. :

Application of Duquesne Light Company : A-2019-3008652
under 15 Pa.C.S. § 1511(c) for a Finding and :
Determination That the Service to be Furnished :
by the Applicant through Its Proposed Exercise :
of the Power of Eminent Domain to :
Acquire a Certain Portion of the Lands of :
George N. Schaefer of Moon Township, :
Allegheny County, Pennsylvania for the :
Siting and Construction of Transmission Lines :
Associated with the Proposed :
Brunot Island - Crescent Project Is Necessary :
or Proper for the Service, Accommodation, :
Convenience, or Safety of the Public. :

**PREHEARING MEMORANDUM
OF DUQUESNE LIGHT COMPANY**

Pursuant to the Prehearing Order of Administrative Law Mary D. Long dated August 24, 2020 and 52 Pa. Code § 5.221 - § 5.224, Duquesne Light Company (“Duquesne Light” or the “Company”) hereby submits its Prehearing Conference Memorandum.

I. INTRODUCTION AND BACKGROUND

On March 15, 2019, Duquesne Light filed, pursuant to 52 Pa. Code § 57.72, a line siting application requesting Pennsylvania Public Utility Commission (“Commission”) approval to site

and construct approximately 14.5 miles of overhead double-circuit 138 kV transmission lines in the City of Pittsburgh, McKees Rocks Borough, Kennedy Township, Robinson Township, Moon Township, and Crescent Township, Allegheny County, Pennsylvania (the “Project” or “BI-Crescent Project”), docketed at A-2019-3008589. Duquesne Light also filed an application for eminent domain to acquire a certain portion of the lands of George N. Schaefer of Moon Township, Allegheny County, in connection with the transmission line project, docketed at A-2019-3008652.¹

On April 29, 2019, a Prehearing Order was issued, which directed that dockets A-2019-3008589 and A-2019-300652 be consolidated for the purposes of discovery, litigation and decision.

On April 30, 2019, Duquesne Light filed Proof of Publication of Notice of the Applications in the Pittsburgh Post-Gazette.

On June 6, 2019, a Prehearing Conference was held. While no Protests and/or Petitions to Intervene had been filed as of the date of the Prehearing Conference, several affected landowners appeared and requested additional time to file Protests or Petitions to Intervene.

By Interim Order dated June 7, 2019, the deadline for filing a Protest or Petition to Intervene was extended until June 21, 2019.

On or before June 21, 2019, Protests were filed by Victoria Adams, John P. and Jennifer Crowe, Richard Gable, Folezia Marinkovic, Zachariah Nave, Joseph G. and Suzanne Rabosky, Aaron and Rebecca Siegel, Cynthia and Patrick Wilson, and Dennis J. and Jeanne Zona.

¹ Separate but concurrently, the Company submitted the Petition of Duquesne Light Company for Waiver of Provisions of the Pennsylvania Public Utility Commission’s Regulations at 52 Pa. Code § 57.71 et seq., for the Siting and Construction of Six Structures on an Existing Transmission Line, docketed at P-2019-3008604 (“Waiver Petition”) to allow Duquesne Light to replace six structures on an existing high voltage transmission line that were impacted by landslides in the spring of 2018. The Waiver Petition has been assigned to the Commission’s Law Bureau, and will be separately adjudicated.

On July 2, 2019, a further Prehearing Conference was held, and a litigation schedule was established.

On September 10, 2019, an evidentiary hearing was held for the purpose of receiving the oral testimony of any Protestant that wished to testify. In addition, Protestants were required to serve written direct testimony or an expert report for any identified experts on or before September 10, 2019. No Protestant identified an expert that would testify on their behalf and no Protestant served the written direct testimony or written report of any such expert.

On October 9, 2019, a Public Input Hearing was held.

On October 10, 2019, Duquesne Light served its written rebuttal testimony.

On October 21, 2020, Duquesne Light filed a motion to continue the October 29, 2019 evidentiary hearing to permit the Company time to file an amendment to the application.

On August 10, 2020 Duquesne Light filed its amended application, which eliminated the initial proposal to build one of the circuits to 345 kilovolt (“kV”) standards.

Pursuant to the Interim Order dated August 24, 2020, a prehearing conference on the amended application was scheduled for September 25, 2020.

On August 27, 2020 and September 3, 2020 Duquesne Light published notice of the prehearing conference in the Pittsburgh Post-Gazette, and proof of publication was filed in the above-captioned matter on September 11, 2020.

II. ANTICIPATED ISSUES

Duquesne Light reserves the right to address any and all relevant issues as may be deemed necessary throughout the course of this proceeding. Some of the issues that may arise in the course of this proceeding are as follows:

A. Removing the Proposal to Build One of the Circuits to 345 kV Standards

Based upon the input Duquesne Light received from its customers through multiple channels and forums, including the feedback received at the public input hearing on October 9, 2019, Duquesne Light re-engineered the BI-Crescent Project to eliminate the proposal to build one of the circuits to 345 kV standards. Duquesne Light's amended application plans to rebuild both circuits at the current 138 kV capacity.

B. Design Features of the BI-Crescent Project

Based upon the testimony previously provided by the Protestants at the September 10, 2019 evidentiary hearing and the October 10, 2019 public input hearing, Duquesne Light expects issues to be raised about certain design elements of the BI-Crescent Project. Specifically, Duquesne Light expects questions regarding the electromagnetic fields ("EMF") in the Project area, how the BI-Crescent Project meets or exceeds National Safety Electric Code ("NESC") standards, how the Project changes the number and height of the structures or towers. To the extent that such issues are raised, Duquesne Light intends to demonstrate that the BI-Crescent, as amended, meets or exceeds all applicable NESC standards.

C. Selection of the Proposed Route

Based upon the testimony previously provided by the Protestants at the September 10, 2019 evidentiary hearing and the October 10, 2019 public input hearing, Duquesne Light expects the Protestants to inquire about the proposed route and how it was selected. The Company's witnesses will provide testimony demonstrating that the route selected, namely, the existing route, is the shortest route and utilizes the existing ROW thereby minimizing overall impacts and having the least environmental impact as compared to the other viable alternatives.

III. WITNESSES

Duquesne Light will provide the testimonies of the below witnesses, as may be necessary.

Witness	Subjects Addressed
Jason A. Harchick General Manager, System Planning and Protection Duquesne Light Company 2839 New Beaver Avenue Pittsburgh, PA 15233	Need for the Project Description of the Project
Aimee Kay Environmental Manager in the Power Delivery – Environmental Services Market Sector GAI Consultants, Inc. 385 E. Waterfront Drive, Homestead, PA 15120	Summary of the Siting Study Selection of the Proposed Routes for the Project
Meenah Shyu Manager of Civil & Transmission Line Engineering Group Duquesne Light Company 2841 New Beaver Avenue Pittsburgh, PA 15233	Design and Safety Features of the Project
Lesley Gannon Senior Manager, Real Estate & Rights-of-Way Duquesne Light Company 1800 Seymour Street Pittsburgh, PA 15233	Rights-of-Way Identification and Condemnation Application of the Shaefer Property

Duquesne Light reserves the right to call additional witnesses, as necessary. If Duquesne Light determines an additional witness or witnesses will be necessary for any portion of its case, the Presiding Officer and all parties of record will be notified promptly.

IV. EVIDENCE

Duquesne Light will rely on the direct, rebuttal, surrebuttal, and rejoinder testimony of its witnesses. Duquesne Light will also rely on the testimony of the other parties to the proceeding.

Duquesne Light will present relevant exhibits to support its own testimony, including but not limited to, materials obtained from other parties, if any, through discovery and cross-examination.

V. PROCEDURAL RULES / DISCOVERY

Duquesne Light is not requesting any modification of the Commission’s procedural rules regarding discovery are necessary at this time. Duquesne Light agrees to cooperate with the parties regarding any requested modification to the Commission’s procedural discovery rules.

VI. PROPOSED LITIGATION SCHEDULE

The proposed litigation schedule, provided below, has been circulated but not yet been agreed upon by all parties. Duquesne Light is willing to work with the parties to reach a mutually agreeable litigation schedule.

Prehearing Conference	September 25, 2020
Protestants’ Direct	November 25, 2020
Applicant’s Rebuttal	December 21, 2020
Protestants’ Surrebuttal	January 21, 2021
Applicant’s Rejoinder	January 28, 2021
Evidentiary Hearings	February 3-4, 2021
Main Brief	March 12, 2021
Reply Brief	March 26, 2021

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VII. SERVICE ON DUQUESNE LIGHT

Duquesne Light will be represented in this case by the counsel named below. Counsel consents to electronic service of documents. Copies of all documents should be served on Duquesne Light as follows:

Anthony D Kanagy, Esq.
Garrett P. Lent, Esq.
Post & Schell, P.C.
17 North Second Street
12th Floor
Harrisburg, PA 17101-1601
Phone: 717-731-1970
Fax: 717-731-1985
E-mail:
akanagy@postschell.com
glent@postschell.com

Emily M. Farah, Esq.
Tishekia E. Williams, Esq.
Duquesne Light Company
411 7th Avenue, Mail Drop 15-7
Pittsburgh, PA 15219
Telephone: (412) 393-6431
E-mail:
efarah@duqlight.com
twilliams@duqlight.com

Respectfully Submitted,



Anthony D Kanagy (PA ID # 85522)
Garrett P. Lent (PA ID # 321566)
Post & Schell, P.C.
17 North Second Street, 12th Fl.
Harrisburg, PA 17101-1601
Fax: 717-731-1985
Phone: 717-731-1970
E-mail: akanagy@postschell.com
E-mail: glent@postschell.com

Emily M. Farah (PA ID # 322559)
Tishekia Williams (PA ID # 208997)
Duquesne Light Company
411 Seventh Avenue, Mail Drop
Pittsburgh, PA 15219
E-mail: efarah@duqlight.com
E-mail: twilliams @duqlight.com

Date: September 22, 2020

Attorneys for Duquesne Light Company