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November 10, 2009

VIA HAND DELIVERY

Secretary James J. McNulty
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor
Harrisburg, PA 17120

Re: Petition of Duquesne Light Company for Approval of Default Service Plan for the
Period January 1, 2011 through May 31, 2013 Docket No. P-2009-2135500.

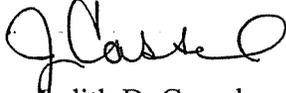
Dear Secretary McNulty:

Enclosed is an original Prehearing Memorandum, on behalf of FirstEnergy Solutions in
the above subject matter. Copies have been served in accordance with the attached Certificate of
Service.

If you have any questions, please feel free to contact me.

Very truly yours,

STEVENS & LEE


Judith D. Cassel

JDC:kdd
Enclosure

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A PROFESSIONAL CORPORATION

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of Duquesne Light Company :
For Approval of Default Service Plan : Docket No. P-2009-2135500
For the Period January 1, 2011 Through :
May 31, 2013. :

**PREHEARING CONFERENCE MEMORANDUM
OF
FIRST ENERGY SOLUTIONS CORP.**

Pursuant to 52 Pa. Code Section §5.222, FirstEnergy Solutions Corp., (“FES”) respectfully submits the following Prehearing Conference Memorandum in the above-captioned matter.

I. INTRODUCTION

FES is a subsidiary of FirstEnergy Corp., a diversified energy services holding company headquartered in Akron, Ohio. FES provides wholesale and retail energy and related products to customers located primarily in the Mid-Atlantic and Midwest regions of the United States.

FES is represented in this matter by Renardo L. Hicks. All correspondence, notices, documents, orders or other communications with respect to the above-captioned proceedings should be addressed Mr. Hicks at the following address:

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II. BACKGROUND

On or about October 9, 2009 Duquesne Light Company (DQE) filed a Petition seeking approval from the Commission of a proposed plan to provide default service to its customers from January 1, 2011 through May 31, 2013 (“Plan”).

On November 9, 2009, FES filed a petition to intervene in this matter. A Prehearing Conference is scheduled for November 12, 2009.

III. ISSUES

FES has several concerns regarding DQE’s filing in this matter and the implementation of a possible Commission Order. FES intends to participate in this proceeding to address these concerns, which include, but are not limited to, the following:

1. FES is concerned that the proposed procurement of power for the residential customer class is not a competitive process and therefore, the fixed price being paid by DQE residential customers may be higher than the market price.
2. FES also has concerns regarding the load cap for small and medium commercial full requirements which are restricted to 50% for any one supplier. An EGS should not be penalized for being able to serve more of the load at an advantageous customer price.
3. FES also intends to raise concerns about the third party SCI procurement process. Assurances need to be in place that the 3rd party will be a neutral party.

IV. WITNESSES

FES has not yet determined whether it intends to introduce written, prefiled, direct testimony in this proceeding, but reserves the right to do so in accordance with the schedule developed in this matter. The Company also reserves the right to identify and present the testimony of witnesses, as necessary, in the rebuttal phase of these proceedings, in accordance with the schedule adopted in this proceeding. Additionally, FES expects to cross-examine witnesses presented by other parties in this proceeding.

V. DISCOVERY

FES does not propose any modifications to the Commission's regulations pertaining to the conduct of discovery.

VI. SCHEDULE

FES intends to participate in all hearings scheduled in this proceeding and will cooperate with all parties to develop such a schedule for this proceeding.

VII. SETTLEMENT

Settlement negotiations have not been initiated by the parties. However, FES remains open to the amicable resolution of this matter. Furthermore, if full settlement cannot be achieved, FES intends to work with the parties to reach agreement on as many factual and legal issues as possible, to limit the number of issues in dispute and to streamline this proceeding to the greatest extent possible.

VIII. CONCLUSION

WHEREFORE, for all the foregoing reasons, FES respectfully requests that its Prehearing Memorandum in this matter be entered into the record.

Respectfully submitted,



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Counsel for FirstEnergy Solutions Corp.

Dated: November 10, 2009

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 § 1.54 (relating to service by a participant).

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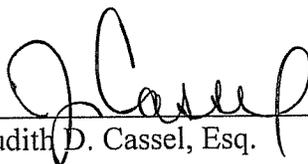
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Date: November 10, 2009



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