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November 10, 2009

BY ELECTRONIC FILING

James J. McNulty
Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

**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-20092135500**

Dear Secretary McNulty:

Enclosed for filing with the Commission in the above-captioned matter is the Prehearing Memorandum of the Retail Energy Supply Association. Copies of this filing are being served per the attached certificate of service.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in blue ink that reads 'Brian R. Greene'. The signature is written in a cursive style.

Brian R. Greene

BRG/ps

SG00062948

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of Duquesne Light Company
for approval of Default Service Plan
for the Period January 1, 2011
through May 31, 2013.

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P-2009-2135500

**PREHEARING CONFERENCE MEMORANDUM
OF
THE RETAIL ENERGY SUPPLY ASSOCIATION**

The Retail Energy Supply Association ("RESA"),¹ by counsel, pursuant to 52 Pa.C.S. § 5.222, submits this Prehearing Conference Memorandum.

I. Introduction

On or about October 9, 2009, Duquesne Light Company ("DLC") filed a Petition seeking Commission approval of its proposed plan to secure default service supply for DLC customers for the period between January 1, 2011, through May 31, 2013 (the "Plan"). On November 9, 2009, RESA submitted a Petition to Intervene in this proceeding. This prehearing memorandum is submitted in advance of the Prehearing Conference scheduled for November 12, 2009.

II. Identification of Issues

RESA is still formulating its positions in this case. Based upon an initial review of DLC's petition, RESA expects the potential issues in this proceeding will include but not be limited to ensuring that DLC's proposed Default Service Plan:

¹ RESA's members include ConEd Solutions; Direct Energy Services, LLC; Exelon Energy Company; GDF SUEZ Energy Resources NA, Inc.; Gexa Energy; Green Mountain Energy Company; Hess Corporation; Integrys Energy Services, Inc.; Just Energy; Liberty Power; RRI Energy; Sempra Energy Solutions LLC. The comments expressed in this filing represent the position of RESA as an organization but may not represent the views of any particular member of RESA.

1. Results in sufficiently market responsive and market reflective default service prices so as to promote a level playing field for EGSs. This includes the length of DLC's contracts to procure default service supply for Residential as well as Small and Medium C&I customers;

2. Relies on competitively procured wholesale electric supplies in order to ensure that resultant default service prices accurately reflect the true cost and risk involved with providing default service to retail customers; and

3. Contains appropriately designed retail market enhancement programs, (such as a properly structured purchase of receivables program, timely and efficient access to customer data, EDC billing platforms to enable retail market entry, appropriate customer education programs about competitive offers, etc.) to enable the continued development of retail competition.

RESA may identify other issues after reviewing DLC's further testimony and the testimony submitted by other intervenors, answers to discovery, and so forth. RESA reserves the right to address additional issues it identifies during the course of this proceeding.

III. Identification of Witnesses

RESA reserves the right to present direct, rebuttal, and surrebuttal fact and expert testimony, to the extent it deems necessary, in this proceeding. At this time, RESA expects to present expert testimony by:

Richard J. Hudson, Jr.
Pennsylvania State Chair for RESA
HUDSON@CONEDSOLUTIONS.COM

Once discovery has begun and the positions of all parties to this proceeding have been made known, RESA will notify the Administrative Law Judge and all parties of the identity of any additional witnesses it intends to call.

IV. Settlement Possibilities

RESA is interested in settling as many issues as possible and will work with DLC and the other parties to establish consensus. RESA respectfully requests to take part in any and all settlement discussions that take place in this matter.

V. Procedural Schedule

RESA will cooperate with the parties to develop a reasonable procedural schedule that allows the issues in the case to be fully addressed. RESA will work with the ALJ and the parties to establish procedures and a schedule for discovery.

VI. Service on RESA

RESA consents to accept electronic delivery documents on the deadline for their filing, if followed by hard copy delivery by first class mail to its counsel of record.

RESA also requests that parties serve electronic (and not paper) copies of all documents in this proceeding on:

Richard J. Hudson, Jr.
Pennsylvania State Chair for RESA
HUDSON@CONEDSOLUTIONS.COM

Ron Cerniglia
Vice President for RESA
RON.CERNIGLIA@DIRECTENERGY.COM

RESA respectfully requests that service be made to its counsel in this matter:

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Counsel for the Retail Energy Supply Association

² Mr. Greene is licensed to practice law in Virginia, Maryland, and the District of Columbia. RESA is coordinating with local counsel to file a motion to admit Mr. Greene *pro hac vice*.

VII. Conclusion

WHEREFORE, RESA respectfully requests that its Prehearing Memorandum in this proceeding be entered into the record.

Respectfully submitted,

RETAIL ENERGY SUPPLY ASSOCIATION

By Counsel



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Counsel for the Retail Energy Supply Association

Dated: November 10, 2009

CERTIFICATE OF SERVICE

I certify that this day I have served a true and correct copy of the foregoing Prehearing Memorandum upon the persons listed below in the manner indicated in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

David B. MacGregor Post & Schell, P.C. Four Penn Center 1600 John F. Kennedy Blvd. Philadelphia, PA 19103-2808	Michael W. Gang Anthony Kanagy Post & Schell, P.C. 17 North Second Street, 12 th Floor Harrisburg, PA 17101-1601
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Brian R. Greene