

January 27, 2010

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

Re: 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 Right-Of-Way And Easement For The Operation And Maintenance Of The Transmission System Over And Across The Lands Of Pittsburgh Development Group II, L.P. In The Borough Of Baldwin And The 31st Ward Of The City Of Pittsburgh, Allegheny County, Is Necessary Or Proper For The Service, Accommodation, Convenience Or Safety Of The Public

Dear Secretary McNulty:

Enclosed for filing please find the original and three (3) copies of Joint Motion To Stay Proceedings in the above-referenced matter. Also enclosed is an extra copy of the Motion and would kindly ask that you time-stamp and forward to me in the enclosed self-addressed stamped envelope provided for your convenience.

Thank you for your kind consideration in this matter. Should you have any questions, please do not hesitate to contact me.

Very truly yours,



Danielle L. Dietrich  
DLD/kam  
Enclosures

c: Thomas W. King, III (w/enc.)

LIT:474351-1 014657-014896

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2010 JAN 29 AM 9:24  
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**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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 RIGHT-OF-WAY AND  
EASEMENT FOR THE OPERATION AND  
MAINTENANCE OF THE TRANSMISSION  
SYSTEM OVER AND ACROSS THE LANDS OF  
PITTSBURGH DEVELOPMENT GROUP II, L.P.  
IN THE BOROUGH OF BALDWIN AND THE 31<sup>ST</sup>  
WARD OF THE CITY OF PITTSBURGH,  
ALLEGHENY COUNTY, IS NECESSARY OR  
PROPER FOR THE SERVICE,  
ACCOMMODATION, CONVENIENCE OR  
SAFETY OF THE PUBLIC

A-2009-2088367

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**JOINT MOTION TO STAY PROCEEDINGS**

And now comes Applicant, Duquesne Light Company ("Duquesne Light"), together with Objector, Pittsburgh Development Group II, L.P. ("PDG"), and in accordance with the Pennsylvania Public Utility Code, submits the within Joint Motion to Stay Proceedings, as follows:

1. Applicant Duquesne Light Company ("Duquesne Light") filed its application at Docket No. A-2009-2088367 on or about January 29, 2009.
2. Objector, Pittsburgh Development Group II, L.P. ("PDG"), is the only objector in this case and filed its Protest to Duquesne Light's application on April 30, 2009.
3. Duquesne Light and PDG have come to a settlement agreement and are in the process of documenting said agreement.
4. It would be a waste of both the Commission's and the parties' resources to continue to litigate this matter when a settlement is pending.

5. The parties wish to stay the litigation of this matter until such time as the settlement documents are finalized.

WHEREFORE, Duquesne Light and PDG respectfully request that the Pennsylvania Public Utility Commission grant this Joint Motion to Stay Proceedings.

Respectfully submitted,

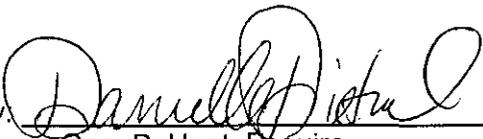
Respectfully submitted,

DILLON MCCANDLESS KING COULTER &  
GRAHAM, L.L.P.

TUCKER ARENSBERG, P.C.

By: Consented to via email 1/26/10

Thomas W. King III, Esquire  
Pa. I.D. 21580  
Donald Graham, Esquire  
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(724)776-6644  
Counsel For Pittsburgh Development  
Group II, L.P.

By: 

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Email: ghunt@tuckerlaw.com  
ddietrich@tuckerlaw.com

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

|  |   |                |
|--|---|----------------|
| 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                     | : | A-2009-2088367 |
| EXERCISE OF THE POWER OF EMINENT                   | : |                |
| DOMAIN TO ACQUIRE A RIGHT-OF-WAY AND               | : |                |
| EASEMENT FOR THE OPERATION AND                     | : |                |
| MAINTENANCE OF THE TRANSMISSION                    | : |                |
| SYSTEM OVER AND ACROSS THE LANDS OF                | : |                |
| PITTSBURGH DEVELOPMENT GROUP II, L.P.              | : |                |
| IN THE BOROUGH OF BALDWIN AND THE 31 <sup>ST</sup> | : |                |
| WARD OF THE CITY OF PITTSBURGH,                    | : |                |
| ALLEGHENY COUNTY, IS NECESSARY OR                  | : |                |
| PROPER FOR THE SERVICE,                            | : |                |
| ACCOMMODATION, CONVENIENCE OR                      | : |                |
| SAFETY OF THE PUBLIC                               | : |                |

**ORDER**

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 2010, it is hereby ORDERED, ADJUDGED and DECREED, that the Joint Motion to Stay Proceedings is **GRANTED**, and it is hereby ordered that all proceedings in this action are stayed until further order of the Commission.

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**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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  
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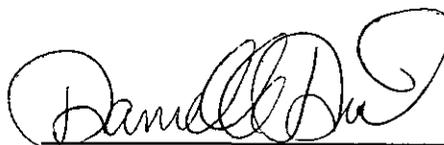
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**CERTIFICATE OF SERVICE**

I hereby certify that I have this 27<sup>th</sup> day of January 2010 served a true and correct copy of the within JOINT MOTION TO STAY PROCEEDINGS, upon the individuals and entities listed below in accordance with the requirements of Title 52, Chapter 1 § 1.54 of the Pennsylvania Code, via email and First-Class U.S. Mail, postage prepaid, addressed as follows:

Pittsburgh Development Group II, L.P.  
c/o Thomas W. King III, Esquire  
Dillon McCandless King Coulter & Graham L.L.P.  
800 Cranberry Woods Drive - Suite 100  
Cranberry, PA 16066



\_\_\_\_\_  
Gary P. Hunt, Esquire  
Danielle L. Dietrich, Esquire