

COMMONWEALTH OF PENNSYLVANIA



OFFICE OF SMALL BUSINESS ADVOCATE  
Suite 1102, Commerce Building  
300 North Second Street  
Harrisburg, Pennsylvania 17101

William R. Lloyd, Jr.  
Small Business Advocate

(717) 783-2525  
(717) 783-2831 (FAX)

February 8, 2010

**HAND DELIVERED**

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

**Re: Petition of Duquesne Light Company to Contest the Finding of Non-Compliance with the Alternative Energy Portfolio Standards Act and Modify the Alternative Compliance Payment or, in the Alternative, Declare a Force Majeure for Duquesne Light Company for the 2008/2009 Alternative Energy Compliance Period  
Docket No. P-2010-2153577**

Dear Secretary McNulty:

I am delivering for filing today the original plus three copies of the Notice of Intervention, Answer, Verification, Public Statement, and Notice of Appearance, on behalf of the Office of Small Business Advocate in the above-captioned proceeding.

Two copies have been served today on all known parties in this proceeding. A Certificate of Service to that effect is enclosed.

If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read "Sharon E. Webb".

Sharon E. Webb  
Assistant Small Business Advocate  
Attorney ID No. 73995

Enclosures

cc: Parties of Record

RECEIVED  
2010 FEB - 8 PM 3:18  
PA PUC  
SECRETARY'S BUREAU

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Petition of Duquesne Light Company to** :  
**Contest the Finding of Non-Compliance** :  
**with the Alternative Energy Portfolio** : **Docket No. P-2010-2153577**  
**Standards Act and Modify the Alternative** :  
**Compliance Payment or, in the Alternative,** :  
**Declare a Force Majeure for Duquesne Light** :  
**Company for the 2008/2009 Alternative Energy** :  
**Compliance Period** :

**NOTICE OF INTERVENTION  
OF THE OFFICE OF SMALL BUSINESS ADVOCATE**

The Office of Small Business Advocate (“OSBA”) files this Notice of Intervention with respect to the Petition of Duquesne Light Company (“Duquesne” or “Company”) to Contest the Finding of Non-Compliance with the Alternative Energy Portfolio Standards Act and Modify the Alternative Compliance Payment or, in the Alternative, Declare a Force Majeure for Duquesne Light Company for the 2008/2009 Alternative Energy Compliance Period (“Petition”) that was filed with the Pennsylvania Public Utility Commission (“Commission”) on January 19, 2010. In support of this Notice of Intervention, the OSBA avers as follows:

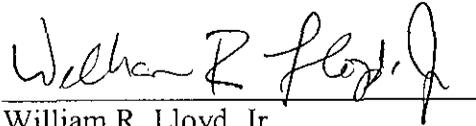
1. The OSBA is an agency of the Commonwealth of Pennsylvania authorized by the Small Business Advocate Act (Act 181 of 1988, 73 P.S. §§ 399.41 - 399.50) to represent the interest of small business consumers as a party in proceedings before the Commission.

SECRETARY'S BUREAU  
2010 FEB -8 PM 3:18  
RECEIVED

2. Representing the OSBA in this proceeding is:

Sharon E Webb, Esquire  
Assistant Small Business Advocate  
Office of Small Business Advocate  
Suite 1102, Commerce Building  
300 North Second Street  
Harrisburg, Pennsylvania 17101  
(717) 783-2525  
(717) 783-2831 (fax)  
[swebb@state.pa.us](mailto:swebb@state.pa.us)

Respectfully submitted,



William R. Lloyd, Jr.  
Small Business Advocate  
Attorney I.D. No. 16452

Office of Small Business Advocate  
Suite 1102, Commerce Building  
300 North Second Street  
Harrisburg, PA 17101  
(717) 783-2525

Date: February 8, 2010

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Petition of Duquesne Light Company to :  
Contest the Finding of Non-Compliance :  
with the Alternative Energy Portfolio :  
Standards Act and Modify the :  
Alternative Compliance Payment or, in :  
the Alternative, Declare a Force Majeure :  
for Duquesne Light Company for the :  
2008/2009 Alternative Energy :  
Compliance Period :**

**DOCKET NO. P-2010-2153577**

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

2010 FEB -8 PM 3:18

RECEIVED

**CERTIFICATE OF SERVICE**

I certify that I am serving two copies of the Notice of Intervention, Answer, Verification, Public Statement, and Notice of Appearance, on behalf of the Office of Small Business Advocate, by e-mail and first-class mail (unless otherwise indicated) upon the persons addressed below:

Hon. Veronica Smith  
Chief Administrative Law Judge  
Pa. Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265  
(717) 787-1191  
(717) 787-0481 (fax)  
[verosmith@state.pa.us](mailto:verosmith@state.pa.us)  
**(E-mail and Hand Delivery)**

Johnnie E. Simms, Esquire  
Office of Trial Staff  
Pa. Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265  
(717) 787-4886  
(717) 772-2677 (fax)  
[josimms@state.pa.us](mailto:josimms@state.pa.us)  
**(E-mail and Hand Delivery)**

Kelly Geer, Esquire  
Gary A. Jack, Esquire  
Duquesne Light Company  
411 Seventh Avenue  
Pittsburgh, PA 15219  
[kgeer@duqlight.com](mailto:kgeer@duqlight.com)  
[gjack@duqlight.com](mailto:gjack@duqlight.com)

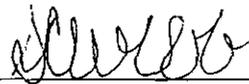
Irwin A. Popowsky, Esquire  
Office of Consumer Advocate  
555 Walnut Street - Fifth Floor  
Harrisburg, PA 17101-1923  
(717) 783-5048  
(717) 783-7152 (fax)  
[spopowsky@paoca.org](mailto:spopowsky@paoca.org)  
**(E-Mail and Hand Delivery)**

Wayne L. Williams  
Bureau of Conservation, Economics, and  
Energy Planning  
Pa. Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265  
(717) 787-2139  
(717) 787-2545 (fax)  
[waywilliam@state.pa.us](mailto:waywilliam@state.pa.us)  
**(E-mail and Hand Delivery)**

David B. MacGregor, Esquire  
Post & Schell, PC  
Four Penn Center  
1600 John F. Kennedy Blvd.  
Philadelphia, PA 19103-2808  
(215) 587-1197  
(215) 320-4879 (fax)  
[dmacgregor@postschell.com](mailto:dmacgregor@postschell.com)

Michael W. Gang, Esquire  
Andrew S. Tubbs, Esquire  
Christopher T. Wright, Esquire  
Post & Schell, PC  
17 North Second Street - 12<sup>th</sup> Floor  
Harrisburg, PA 17101-1601  
(717) 731-1970  
(717) 731-1985 (fax)  
[mgang@postschell.com](mailto:mgang@postschell.com)  
[atubbs@postschell.com](mailto:atubbs@postschell.com)  
[cwright@postschell.com](mailto:cwright@postschell.com)

Date: February 8, 2010



---

Sharon E. Webb  
Assistant Small Business Advocate  
Attorney ID No. 73995