



17 North Second Street
12th Floor
Harrisburg, PA 17101-1601
717-731-1970 Main
717-731-1985 Fax
www.postschell.com

Anthony D. Kanagy
Associate

akanagy@postschell.com
(717) 612-6034 Direct
717-731-1985 Fax
File #: 2267/138784

February 24, 2010

BY HAND

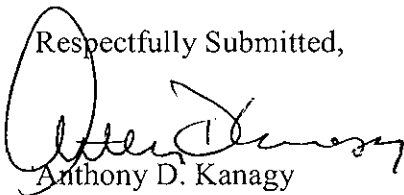
James J. McNulty
Secretary
PA Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor North
PO Box 3265
Harrisburg, PA 17105-3265

**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-2009-2135500**

Dear Secretary McNulty:

Enclosed please find the Stipulation for Admission of Evidence in the above-referenced proceeding. Copies will be provided as indicated on the certificate of service.

Respectfully Submitted,



Anthony D. Kanagy

ADK/skr
Enclosure

cc: Honorable John H. Corbett Jr.
Certificate of Service

2010 FEB 24 PM 3:15
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SECRETARY'S BUREAU

ALLENTOWN HARRISBURG LANCASTER PHILADELPHIA PITTSBURGH PRINCETON WASHINGTON, D.C.

A PENNSYLVANIA PROFESSIONAL CORPORATION

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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

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STIPULATION FOR ADMISSION OF EVIDENCE

**PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU**

TO ADMINISTRATIVE LAW JUDGE JOHN H. CORBETT, JR.:

The Office of Trial Staff (“OTS”) of the Pennsylvania Public Utility Commission (“Commission”), the Office of Consumer Advocate (“OCA”), the Office of Small Business Advocate (“OSBA”), Dominion Retail, Inc. (“Dominion”), Duquesne Industrial Intervenors (“DII”), FirstEnergy Solutions Corp. (“FES”), Retail Energy Supply Association (“RESA”), Constellation Energy Commodities Group, Inc. and Constellation NewEnergy, Inc. (collectively “Constellation”), Citizen Power, and Duquesne Light Company (“Duquesne Light” or the “Company”), all parties to the above-captioned proceeding (hereinafter collectively referred to as the “Parties”), file this Stipulation for Admission of Evidence in the above-captioned proceeding (the “Evidence Stipulation”). In support of the Evidence Stipulation, the Parties represent as follows:

1. On October 8, 2009, Duquesne Light filed the above-captioned Petition, together with its direct testimony. In the Petition, Duquesne Light requested that the Commission approve its proposed plan, as modified by a settlement among the Parties, to provide default service to its customers from January 1, 2011 through May 31, 2013 (“Default Service Plan” or “Plan”). Duquesne Light’s current default service plan (the “POLR IV Plan”) expires on

December 31, 2010.

2. An initial prehearing conference was held on November 12, 2009, at which time a litigation schedule was established for the above-captioned proceeding, including the dates for submitting testimony. On November 20, 2009, the hearing dates were changed from February 9-10, 2010 to February 11-12, 2010. Due to inclement weather conditions, the hearing dates scheduled for February 11-12, 2010, were postponed to February 24-25, 2010.

3. The OCA, OSBA, RESA, Dominion, FES, and Constellation served direct testimony on December 21, 2009.¹ On January 19, 2010, rebuttal testimony was served by Duquesne Light, OCA, OSBA, Dominion, RESA, and Constellation. On January 29, 2010, surrebuttal testimony was served by Duquesne Light, OCA, OSBA, Dominion, RESA, and Constellation. In addition, Duquesne Light served rejoinder outlines on February 5, 2010.

4. Settlement discussions were held which produced a Settlement of all issues prior to the dates for rebuttal testimony or hearings. The Settlement is embodied in the Joint Petition for Settlement that was filed with the Commission and submitted to the ALJ on February 24, 2010. In conjunction with the Joint Petition for Settlement, the Parties have entered into this *Evidence Stipulation with regard to admission by stipulation of the following testimony and exhibits into the record. The Parties note that FES is not admitting FES Statement No. 1, Direct Testimony of Mark Travaglianti, at this time and that the Parties have agreed not to admit any Party's surrebuttal testimony into the record in this proceeding at this time because the Company has not had the opportunity to submit responsive oral rejoinder testimony due to the hearings being canceled. The parties reserve the right to submit such testimony to the record if further litigation of this proceeding is required.*

¹ OTS, DII, and Citizen Power did not serve testimony in this proceeding.

A. Duquesne Light Statements and Exhibits:

- (a) Duquesne Light Statement No. 1, Direct Testimony of Frederick J. Echenmiller.
- (b) Duquesne Light Statement No. 2, Direct Testimony of James E. Wilson, together with Exhibit Nos. JEW-1 and JEW-2.
- (c) Duquesne Light Statement No. 3, Direct Testimony of Neil Fisher, together with Exhibit Nos. NSF-1 through NSF-4.
- (d) Duquesne Light Statement No. 4, Direct Testimony of William V. Pfrommer, together with Exhibit Nos. WVP-1 through WVP-3.
- (e) Duquesne Light Statement No. 1R, Rebuttal Testimony of Frederick J. Echenmiller.
- (f) Duquesne Light Statement No. 2R, Rebuttal Testimony of James E. Wilson.
- (g) Duquesne Light Statement No. 3R, Rebuttal Testimony of Neil S. Fisher, together with Exhibit Nos. NSF-5 and NSF-6.
- (h) Duquesne Light Statement No. 5R, Rebuttal Testimony of Ruth Ann DeLost.
- (i) Duquesne Light Exhibit No. 1, "Petition Of Duquesne Light Company For Approval Of Default Service Plan For The Period January 1, 2011 Through May 31, 2013," Docket No. P-2009-213550.

B. OCA Statements and Exhibits.

- (a) OCA Statement No. 1, Direct Testimony of Steven L. Estomin, together with Exhibit No. SLE-1.
- (b) OCA Statement No. 2-R, Rebuttal Testimony of Barbara R. Alexander.

C. OSBA Statements and Exhibits.

- (a) OSBA Statement No. 1, Direct Testimony of Brian Kalcic, together with Exhibit No. BK-1.
- (b) OSBA Statement No. 2, Rebuttal Testimony of Brian Kalcic.

D. Dominion Statements and Exhibits.

- (a) Dominion Statement No. 1, Direct Testimony of Thomas J. Butler.
- (b) Dominion Statement No. 1-R, Rebuttal Testimony of Thomas J. Butler.

E. RESA Statements and Exhibits.

- (a) RESA Statement No. 1, Direct Testimony of Richard J. Hudson, Jr., together with Exhibit Nos. RJH-1 through RJH-4.
- (b) RESA Statement No. 2, Rebuttal Testimony of Richard J. Hudson, Jr.

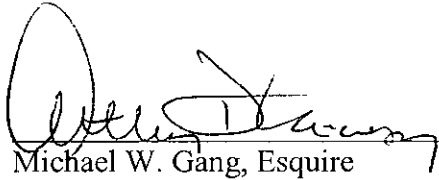
F. Constellation Statements and Exhibits.

- (a) Constellation Statement No. 1, Direct Testimony of David I. Fein, together with Exhibit Nos. DIF-A through DIF-C.
- (b) Constellation Statement No. 1R, Rebuttal Testimony of David I. Fein.

5. The admission by stipulation of the foregoing testimony and exhibits is subject to approval of the Joint Petition for Settlement by the Commission. As set forth in the Joint Petition for Settlement, all Parties reserve their right to submit further testimony and to cross-examine witnesses in the event the Joint Petition for Settlement Petition is not approved.

WHEREFORE, the Parties, by their respective counsel, respectfully request that the Honorable Administrative Law Judge John H. Corbett, Jr. admit the foregoing testimony and exhibits into the record in this proceeding.

Respectfully submitted,



Michael W. Gang, Esquire
Anthony D. Kanagy, Esquire
Post & Schell, P.C.
17 North Second Street, 12th Floor
Harrisburg, PA 17101-1601

Date: 2/23/10

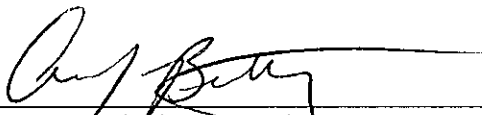
Gary Jack, Esquire
Duquesne Light Company
411 Seventh Avenue Mail Drop 8-2
Pittsburgh, PA 15219

David B. MacGregor, Esquire
Post & Schell, P.C.
Four Penn Center
1600 John F. Kennedy Boulevard
Philadelphia, PA 19103-2808
For Duquesne Light Company



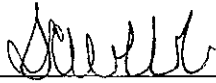
Charles Daniel Shields, Esquire
Office of Trial Staff
PO Box 3265
Commonwealth Keystone Building
400 North Street, 2nd Floor West
Harrisburg, PA 17105-3265
For Office of Trial Staff

Date: 2/22/10



Tanya J. McCloskey, Esquire
Aron J. Beatty, Esquire
Jennedy S. Johnson, Esquire
Office of Consumer Advocate
555 Walnut Street
Forum Place, 5th Floor
Harrisburg, PA 17101-1923
For Office of Consumer Advocate

Date: 2/22/10



Sharon Webb, Esquire
Office of Small Business Advocate
Commerce Building
300 North Second Street, Suite 1102
Harrisburg, PA 17101
For Office of Small Business Advocate

Date: 2/23/10



Todd S. Stewart, Esquire
Hawke, McKeon & Sniscak LLP
100 N. 10th Street
PO Box 1778
Harrisburg, PA 17101

Date: 2/22/10

Gary A. Jeffries, Esquire
Dominion Retail, Inc.
Suite 400
501 Martindale Street
Pittsburgh, PA 15212-5817
For Dominion Retail, Inc.

Date: _____

Pamela C. Polacek, Esquire
Shelby A. Linton-Keddie, Esquire
Carl J. Zwick, Esquire
McNees, Wallace & Nurick
100 Pine Street
PO Box 1166
Harrisburg, PA 17108-1166
For Duquesne Industrial Intervenors

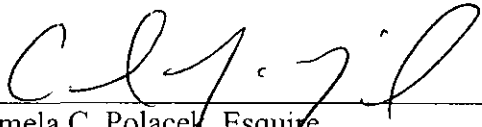
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Office of Small Business Advocate
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300 North Second Street, Suite 1102
Harrisburg, PA 17101
For Office of Small Business Advocate

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Todd S. Stewart, Esquire
Hawke, McKeon & Sniscak LLP
100 N. 10th Street
PO Box 1778
Harrisburg, PA 17101

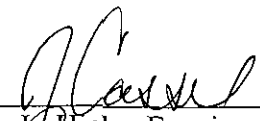
Date: _____

Gary A. Jeffries, Esquire
Dominion Retail, Inc.
Suite 400
501 Martindale Street
Pittsburgh, PA 15212-5817
For Dominion Retail, Inc.



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Shelby A. Linton-Keddie, Esquire
Carl J. Zwick, Esquire
McNees, Wallace & Nurick
100 Pine Street
PO Box 1166
Harrisburg, PA 17108-1166
For Duquesne Industrial Intervenors

Date: 2-22-10



Renardo L. Hicks, Esquire
Judith D. Cassel, Esquire
Stevens & Lee, P.C.
17 North Second Street, 16th Floor
PO Box 11670
Harrisburg, PA 17108-1670

Date: 2/22/10

Mark Hayden, Esquire
FirstEnergy Solutions
76 South Main Street
Akron, OH 44308
For FirstEnergy Solutions Corp.

Brian R. Greene, Esquire
Seltzer Greene, PLC
707 East Main Street
Suite 1025
Richmond, VA 23219
For Retail Energy Supply Association

Date: _____

Christopher A. Lewis, Esquire
Christopher R. Sharp, Esquire
Melanie J. Tambolas, Esquire
Blank Rome LLP
One Logan Square
Philadelphia, PA 19103
*For Constellation Energy Commodities Group, Inc. and
Constellation NewEnergy, Inc.*

Date: _____

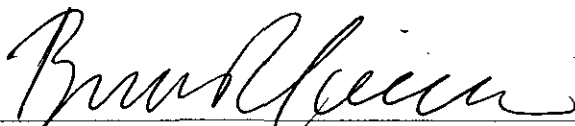
Theodore S. Robinson, Esquire
2121 Murray Avenue
Pittsburgh, PA 15217
For Citizen Power

Date: _____

Renardo L. Hicks, Esquire
Judith D. Cassel, Esquire
Stevens & Lee, P.C.
17 North Second Street, 16th Floor
PO Box 11670
Harrisburg, PA 17108-1670

Date: _____

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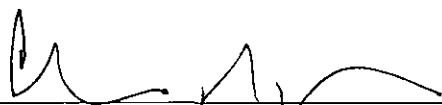
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Harrisburg, PA 17108-1670

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Date: 2/23/10

Theodore S. Robinson, Esquire
2121 Murray Avenue
Pittsburgh, PA 15217
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Renardo L. Hicks, Esquire
Judith D. Cassel, Esquire
Stevens & Lee, P.C.
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Harrisburg, PA 17108-1670

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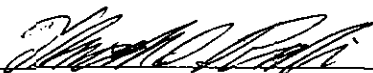
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Theodore S. Robinson, Esquire
2121 Murray Avenue
Pittsburgh, PA 15217
For Citizen Power

CERTIFICATE OF SERVICE

I hereby certify that true and correct copies of the foregoing have been served upon the following persons, in the manner indicated, in accordance with the requirements of § 1.54 (relating to service by a participant).

VIA E-MAIL and FIRST CLASS MAIL

Todd S. Stewart
Hawke, McKeon & Sniscak LLP
100 N. 10th Street
PO Box 1778
Harrisburg, PA 17101

Charles Daniel Shields
Office of Trial Staff
Commonwealth Keystone Building
400 North Street, 2nd Floor West
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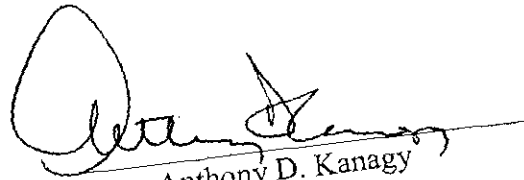
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Stevens & Lee, P.C.
17 North Second Street, 16th Floor
PO Box 11670
Harrisburg, PA 17108-1670

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