

# RHOADS & SINON LLP

Scott H. DeBroff, Esq.

ph (717) 237-6716  
fx (717) 238-8623  
sdebloff@rhoads-sinon.com

FILE NO: 11616/2

July 21, 2010

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

**Re: Docket No. M-2009-2123948 – Petition of Duquesne Light Company for Approval of its Smart Meter Procurement and Installation Plan**

Dear Secretary Chiavetta:

Enclosed herewith please find the original “**Comments to Duquesne Light Company’s Cost Benefit Analysis on Behalf of EnerNOC, Inc.**” in the above-captioned proceeding. This document has been electronically filed through the PUC’s e filing system. Please enter this into the docket and timestamp the additional two (2) copies.

Should you have any questions, please do not hesitate to contact me at (717) 237-6716.

Sincerely,

RHOADS & SINON LLP

By:

  
Scott H. DeBroff, Esq.

Enclosures

cc: Service List for Docket M-2009-2123948

**COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**PETITION OF DUQUESNE LIGHT COMPANY  
FOR APPROVAL OF ITS SMART METER  
PROCUREMENT AND INSTALLATION PLAN**

Docket No. M-2009-2123948

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**COMMENTS TO DUQUESNE LIGHT COMPANY'S COST BENEFIT ANALYSIS  
ON BEHALF OF ENERNOC, INC.**

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**Scott H. DeBroff, Esquire  
Alicia R. Petersen, Esquire**  
Rhoads & Sinon LLP  
One South Market Square  
P.O. Box 1146  
Harrisburg, PA 17108-1146

Tel: (717) 237-6716  
Fax: (717) 238-8623  
eMail: [sdebloff@rhoads-sinon.com](mailto:sdebloff@rhoads-sinon.com)  
[apetersen@rhoads-sinon.com](mailto:apetersen@rhoads-sinon.com)

**Dated: July 21, 2010**

**Counsel for EnerNOC, Inc.**

**COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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AND NOW COMES, **EnerNoc, Inc** ("EnerNOC") by and through its counsel, **Scott H. DeBross, Esquire** and **Alicia R. Petersen, Esquire** of Rhoads & Sinon LLP, for the purpose of these "Comments" with respect to this proceeding before the Commonwealth of Pennsylvania Public Utility Commission ("PUC" or the "Commission") pursuant to 52 Pa. Code §§ 5.71-5.74. In support of this docket, EnerNOC avers the following:

1. On May 11, 2010, the Commission entered an Order in this proceeding approving Duquesne Light Smart Metering Plan as modified by the Order. In the Order, on page 6, it was stated that one of the proposed filings by Duquesne Light under "Future Filings" would be to submit a cost benefit analysis of meter capability on July 1, 2010. The Order also stated, on page 34, that interested parties can file comments on the need, ability and cost for sub-hourly metering within 30 days of the Entry of the Order, with replies to the comments due 15 days after.

2. On June 10, 2010, Duquesne Light Company filed Comments in Response to the May 11, 2010 Order. The same day, EnerNOC filed their Petition to Intervene and Answers in Response to the Questions concerning sub hourly metering in the May 11, 2010 Order.

3. On June 25, 2010, Duquesne Light Company filed Reply Comments to EnerNOC's Comments regarding sub-hourly metering.

4. On July 1, 2010, Duquesne Light Company submitted their Cost Benefit Analysis for additional Smart Meter capabilities.

5. On July 8, 2010, a Secretarial Letter was submitted into the docket stating that EnerNOC's Petition to Intervene, filed on June 10, 2010, would be considered moot since intervenor status is not required to address the need, ability and cost for sub-hourly metering and to participate in Duquesne's collaborative stakeholder process is not limited to parties that have intervened in this proceeding.

6. EnerNOC would like to submit the following Comments in response to Duquesne Light's Cost Benefit Analysis.

7. EnerNOC's counsel and parties to whom all correspondence and pleadings in this docket should be directed to are:

**SCOTT H. DEBROFF, ESQUIRE**  
**ALICIA R. PETERSEN, ESQUIRE**  
RHOADS & SINON LLP  
ONE SOUTH MARKET SQUARE  
P.O. BOX 1146  
HARRISBURG, PA 17108-1146

TEL: (717) 237-6716

FAX: (717) 238-8623

EMAIL: SDEBROFF@RHOADS-SINON.COM

EMAIL: APETERSEN@RHOADS-SINON.COM

COMMENTS TO DUQUESNE LIGHT COMPANY'S COST BENEFIT ANALYSIS

8. EnerNOC commends Duquesne Light for its efforts in creating a Smart Meter Procurement and Installation Plan to meet the rigorous requirements of Act 129 as well as the Commission's June 24, 2009 Implementation Order that outlined further guidance to EDCs concerning their smart meter plans and set forth additional smart meter capabilities. EnerNOC praises Duquesne Light for meeting its smart meter plan milestone by completing a detailed cost benefit analysis of all the smart meter functionality requirements by July 1, 2010. EnerNOC appreciates Duquesne Light's endeavor to follow the timeline it has outlined in its smart meter plan and to deploy a cost-benefit positive smart meter solution as soon as possible to its customers.

9. EnerNOC supports the Company's plan regarding sub-hourly metering, provided that customers or their duly authorized agents (such as EnerNOC) are allowed to directly access the sub-hourly meter data using the Company's network. We support the proposal that customers (or their agents) should pay the incremental costs associated with such access provided that those costs are truly incremental.

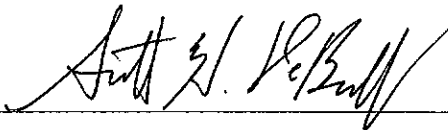
10. EnerNOC does not support the position that the first customers that desire near real-time access to their meter data, for example, in order, to participate in PJM's Ancillary Service markets, must bear the \$2-\$4.5 Million costs of building a totally inclusive network.

11. It is EnerNOC's expectation, apparently shared by the Company, that requests for such access will be very limited, at least initially. To the extent this is the case, the costs for such access should be correspondingly low. If this turns out not to be the case, customers and CSPs may still be forced to install expensive and duplicative "shadow" metering of their own.

12. With the preceding provisos, EnerNOC supports the Cost Benefit Analysis and the Duquesne Light proposals included therein.

WHEREFORE, EnerNOC respectfully requests that the Pennsylvania Public Utilities Commission enter these Comments into the docket.

Respectfully submitted,

By: \_\_\_\_\_

**SCOTT H. DEBROFF, ESQUIRE**  
**ALICIA R. PETERSEN, ESQUIRE**  
RHODS & SINON LLP  
ONE SOUTH MARKET SQUARE  
P.O. BOX 1146  
HARRISBURG, PA 17108-1146

TEL: (717) 237-6716  
FAX: (717) 238-8623  
EMAIL: [sdebroff@rhoads-sinon.com](mailto:sdebroff@rhoads-sinon.com)  
EMAIL: [apetersen@rhoads-sinon.com](mailto:apetersen@rhoads-sinon.com)

**DATED: JULY 21, 2010**

**COUNSEL FOR ENERNOC, INC.**



**COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

PETITION OF DUQUESNE LIGHT COMPANY  
FOR APPROVAL OF ITS SMART METER  
PROCUREMENT AND INSTALLATION PLAN

DOCKET NO. M-2009-2123948

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**CERTIFICATE OF SERVICE**

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I hereby certify that I have served the foregoing document upon the parties, listed on the next page, in accordance with the requirements of §1.54 (relating to service by a party).

Dated: **July 21, 2010**

By:



**SCOTT H. DEBROFF, ESQUIRE**  
**ALICIA R. PETERSEN, ESQUIRE**  
RHOADS & SINON LLP  
ONE SOUTH MARKET SQUARE  
P.O. BOX 1146  
HARRISBURG, PA 17108-1146

TEL: (717) 237-6716

FAX: (717) 238-8623

EMAIL: [SDEBROFF@RHOADS-SINON.COM](mailto:SDEBROFF@RHOADS-SINON.COM)

EMAIL: [APETERSEN@RHOADS-SINON.COM](mailto:APETERSEN@RHOADS-SINON.COM)

**COUNSEL FOR ENERNOC, INC.**

CERTIFICATE OF SERVICE - M-2009-2123948

VIA EMAIL AND FIRST CLASS MAIL

DAVID T. EVRARD, ESQ.  
TANYA J. MCCLOSKEY, ESQ.  
OFFICE OF CONSUMER ADVOCATE  
555 WALNUT STREET  
FORUM PLACE, 5TH FLOOR  
HARRISBURG, PA 17101-1923  
[DEVARAD@PAOCA.ORG](mailto:DEVARAD@PAOCA.ORG)  
[TMCCLOSKEY@PAOCA.ORG](mailto:TMCCLOSKEY@PAOCA.ORG)

SHARON E. WEBB, ESQ.  
OFFICE OF SMALL BUSINESS ADVOCATE  
COMMERCE BUILDING, SUITE 1102  
300 NORTH SECOND STREET  
HARRISBURG, PA 17101  
[SWEBB@STATE.PA.US](mailto:SWEBB@STATE.PA.US)

CHARLES DANIEL SHIELDS, ESQ.  
ADEOLU BAKARE, ESQ.  
OFFICE OF TRIAL STAFF  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
COMMONWEALTH KEYSTONE BUILDING  
P.O. BOX 3265  
HARRISBURG, PA 17105-3265  
[CHSHIELDS@STATE.PA.US](mailto:CHSHIELDS@STATE.PA.US)  
[ABAKARE@STATE.PA.US](mailto:ABAKARE@STATE.PA.US)

GARY JACK, ESQ.  
ERIN H. CREAHAN, ESQ.  
DUQUESNE LIGHT COMPANY  
411 SEVENTH AVE. 16-1  
PITTSBURGH, PA 15219  
[GJACK@DUQLIGHT.COM](mailto:GJACK@DUQLIGHT.COM)  
[ECREAHAN@DUQLIGHT.COM](mailto:ECREAHAN@DUQLIGHT.COM)

KURT E. KLAPKOWSKI, ESQ.  
COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF ENVIRONMENTAL  
PROTECTION  
RCSOB, 9TH FLOOR  
400 MARKET STREET  
HARRISBURG, PA 17101-2301  
[KKLAPKOWSK@STATE.PA.US](mailto:KKLAPKOWSK@STATE.PA.US)

HARRY S. GELLER, ESQ.  
JOHN C. GERHARD, ESQ.  
JULIE GEORGE, ESQ.  
PENNSYLVANIA UTILITY LAW PROJECT  
118 LOCUST STREET  
HARRISBURG, PA 17101  
[HGELLERPULP@PALEGALAID.NET](mailto:HGELLERPULP@PALEGALAID.NET)  
[JGERHARDPULP@PALEGALAID.NET](mailto:JGERHARDPULP@PALEGALAID.NET)  
[JGEORGE@PALEGALAID.NET](mailto:JGEORGE@PALEGALAID.NET)

CHRISTOPHER A. LEWIS, ESQ.  
CHRISTOPHER R. SHARP, ESQ.  
MELANIE J. TAMBOLAS, ESQ.  
BLANK ROME, LLP  
ONE LOGAN SQUARE  
PHILADELPHIA, PA 19103-6998  
[LEWIS@BLANKROME.COM](mailto:LEWIS@BLANKROME.COM)  
[SHARP@BLANKROME.COM](mailto:SHARP@BLANKROME.COM)  
[TAMBOLAS@BLANKROME.COM](mailto:TAMBOLAS@BLANKROME.COM)

THEODORE S. ROBINSON, ESQ,  
CITIZEN POWER  
2121 MURRAY AVENUE  
PITTSBURGH, PA 15217  
[ROBINSON@CITIZENPOWER.COM](mailto:ROBINSON@CITIZENPOWER.COM)

PAMELA C. POLACEK, ESQ.  
SHELBY A. LINTON-KEDDIE, ESQ.  
CARL J. ZWICK, ESQ.  
MCNEES, WALLACE & NURICK, LLC  
100 PINE STREET  
P.O. Box 1166  
HARRISBURG, PA 17108  
[PPOLACEK@MWN.COM](mailto:PPOLACEK@MWN.COM)  
[SKEDDIE@MWN.COM](mailto:SKEDDIE@MWN.COM)  
[CZWICK@MWN.COM](mailto:CZWICK@MWN.COM)

DAVID I. FEIN  
VICE PRESIDENT, ENERGY POLICY  
DIRECTOR OF RETAIL ENERGY POLICY  
CONSTELLATION ENERGY  
550 WASHINGTON ST. - #300, ST. 1100  
CHICAGO, IL 60661  
[DAVID.FEIN@CONSTELLATION.COM](mailto:DAVID.FEIN@CONSTELLATION.COM)

DIVESH GUPTA, ESQ.  
SENIOR COUNSEL  
CONSTELLATION ENERGY  
111 MARKET PLACE - ST. 500  
BALTIMORE, MD 21202  
[DIVESH.GUPTA@CONSTELLATION.COM](mailto:DIVESH.GUPTA@CONSTELLATION.COM)

JONATHAN P. NASE  
KATHRYN G. SOPHY  
OFFICE OF SPECIAL ASSISTANTS  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
400 NORTH STREET  
COMMONWEALTH KEYSTONE BUILDING  
HARRISBURG, PA 17120-3265  
[JNASE@STATE.PA.US](mailto:JNASE@STATE.PA.US)  
[KSOPHY@STATE.PA.US](mailto:KSOPHY@STATE.PA.US)