



Duquesne Light

Our Energy...Your Power

Law Department
411 Seventh Avenue (16-1)
Pittsburgh, PA 15219

Tel 412-393-1518
Fax 412-393-1418
lgannon@duqlight.com

Lesley C. Gannon, Esq.

August 19, 2010

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17120


Re: Municipal Contract filed under Regulation 3.101
Right of Way Agreement between Duquesne Light Company and
Borough of Fox Chapel relating to property owned by and situate
in Borough Of Fox Chapel, Allegheny County

Dear Secretary Chiavetta:

In accordance with the Pennsylvania Public Utility Code and Commission Regulations, I have enclosed one copy of the executed Right of Way Agreement between Duquesne Light Company and the Borough of Fox Chapel, Allegheny County, Pennsylvania, in which the Borough of Fox Chapel granted to Duquesne Light Company a right of way on property owned by and situate in the Borough of Fox Chapel, Allegheny County.

This Agreement was filed electronically on August 19, 2010, and the notice of successful transmission is enclosed herewith as the first page of the Agreement. Should you have any questions regarding the enclosed filing or Agreement, please feel free to call.

Sincerely,


Lesley C. Gannon, Esq.
Legal Services

cc: Joann Noble, Esq.

RIGHT OF WAY AGREEMENT


The undersigned Grantor, **Borough Of Fox Chapel**, for good and valuable consideration, the receipt of which is hereby acknowledged, **does hereby grant** unto Duquesne Light Company, its successors and assigns, for providing, transmitting and/or distributing electric and/or communications services for any and all purposes, the right, privilege and authority to erect, install, use, own, operate, maintain, repair, renew and finally remove an electric line, consisting of **one (1) pole, No. 363391**, together with crossarms, cables, wires, guys and other fixtures and apparatus thereto belonging, upon, over, under, along, across and through Grantor's land, fronting on **Fox Chapel Road**, situate in **Fox Chapel Borough, Allegheny County, Pennsylvania**, and shown on Duquesne Light Company Drawing No. **WR-352923**, a copy of which has been given to Grantor. Duquesne Light Company shall also have the following rights: to trim or remove any trees or shrubbery which, at any time or times, may interfere or threaten to interfere with the erection, installation, use, operation, maintenance, repair, renewal or removal of the electric line; to enter upon the land at any time for such purposes; to permit others to attach crossarms, cables, wires and related apparatus, and to use the poles and apparatus erected hereunder; and to sell, assign, lease or otherwise transfer any or all of the rights hereunder. **Item No. 2.**

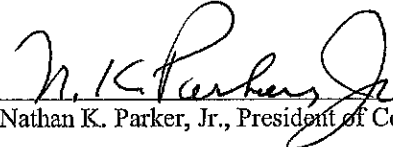
Utility shall file a copy of this Agreement with the Pennsylvania Public Utility Commission as required by Title 66; Section 507 of the Public Utility Code, and this Agreement shall become effective in accordance therewith.

Intending to be legally bound the Grantor has executed this agreement this 11th day of August, 2010.

BOROUGH OF FOX CHAPEL

ATTEST:


BOROUGH MANAGER ~~Assistant Secretary~~

By:  (SEAL)
Nathan K. Parker, Jr., President of Council

COMMONWEALTH OF PENNSYLVANIA

SS:

COUNTY OF Allegheny

On this 11th day of August, 2010, before me, a Notary Public in and for the Commonwealth and County, personally appeared Nathan K. Parker, Jr., President of Council of Fox Chapel Borough, a municipality, and as such President, being authorized to do so, executed the foregoing instrument for the purposes therein contained.

WITNESS my hand and seal the day and year aforesaid.


Notary Public

