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September 3, 2010

BY HAND

Rosemary Chiavetta
Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor North
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 Chiavetta:

As directed by the Interim Order in the above-referenced proceeding, attached please find Affidavits on behalf of Conservation, Economics and Energy Planning, Office of Small Business Advocate and Duquesne Light Company in support of written testimony in the above-referenced proceeding. Copies have been provided as indicated on the certificate of service.

Respectfully Submitted,

Andrew S. Tubbs

AST/skr

Enclosures

cc: Honorable Katrina L. Dunderdale
Certificate of Service

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been served upon the following persons, in the manner indicated, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

FIRST CLASS MAIL

Robert F. Young
Kriss E. Brown
PA Public Utility Commission
Law Bureau
Commonwealth Keystone Building
400 North Street, 3rd Floor West
PO Box 3265
Harrisburg, PA 17105-3265

David Evrard
Tanya McCloskey
Office of Consumer Advocate
555 Walnut Street
Forum Place, 5th Floor
Harrisburg, PA 17101-1923

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

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Date: September 3, 2010



Andrew S. Tubbs

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

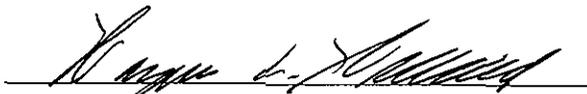
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SECRETARY'S

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 : P-2010-2153577
Duquesne Light Company for the 2008/2009 :
Alternative Energy Compliance Period :

AFFIDAVIT OF
LAW BUREAU PROSECUTORY STAFF WITNESS
WAYNE L. WILLIAMS, Ph.D.

I, **Wayne L. Williams, Ph.D.**, being duly sworn or affirmed according to law, depose and say that the facts contained in the Bureau of Conservation, Economics and Energy Planning documents being offered into the record by stipulation, consisting of **CEEP Statement No. 1** and accompanying **CEEP WLW Exhibit No. 1**, are true and correct to the best of my knowledge, information and belief.

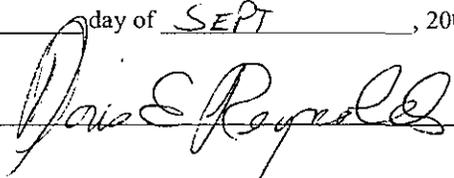
Said documents were prepared by me or under my supervision and were I to be called to the stand at hearing in this proceeding, I would expect to be able to prove any and all such facts contained in these documents.



Wayne L. Williams, Ph.D.

Subscribed and sworn to before me, this 1ST day of SEPT, 2008¹⁰

[Seal]

Signature: 

Name: _____

Title: _____

COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL
DORIS E. REYNOLDS, Notary Public
City of Harrisburg, Dauphin County
My Commission Expires May 11, 2014

My commission expires: MAY 11, 2014

**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 : P-2010-2153577
Duquesne Light Company for the 2008/2009 :
Alternative Energy Compliance Period :

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**AFFIDAVIT OF
LAW BUREAU PROSECUTORY STAFF WITNESS
DINA M. DEANA**

I, **Dina M. Deana**, being duly sworn or affirmed according to law, depose and say that the facts contained in the Bureau of Conservation, Economics and Energy Planning documents being offered into the record by stipulation, consisting of **CEEP Statement No. 2** and accompanying **CEEP DMD Exhibit No. 1** and **CEEP DMD Exhibit No. 2**, are true and correct to the best of my knowledge, information and belief.

Said documents were prepared by me or under my supervision and were I to be called to the stand at hearing in this proceeding, I would expect to be able to prove any and all such facts contained in these documents.

Dina M. Deana

Dina M. Deana

Subscribed and sworn to before me, this 1ST day of September, 2010.

Signature: *Garry Myers*

Name: GARRY MYERS

Title: NOTARY

My commission expires: 2/21, 2011

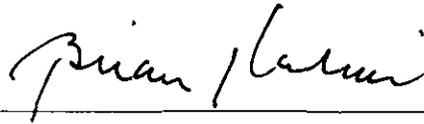
[Seal]

**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 : DOCKET NO. P-2010-2153577
the Alternative, Declare a Force Majeure :
for Duquesne Light Company for the :
2008/2009 Alternative Energy :
Compliance Period :**

AFFIDAVIT OF BRIAN KALCIC

I, Brian Kalcic, being duly sworn according to law, depose and say that I am employed as a consultant by the Pennsylvania Office of Small Business Advocate, having qualifications as set forth in the Appendix to my Direct Testimony at OSBA Statement No. 1 and have been authorized to make this affidavit on its behalf and that the facts set forth in my Direct Testimony, OSBA Statement 1, are true and correct to the best of my knowledge, information, and belief and I expect to be able to prove the same at any hearing hereof.

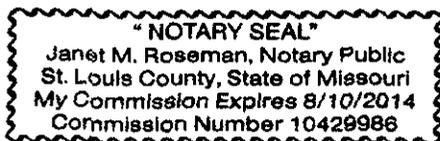


Brian Kalcic

Sworn and subscribed before me
this 30th day of August 2010


Signature of official administering oath

My Commission expires:



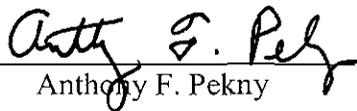
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**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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 :

AFFIDAVIT

I, Anthony F. Pekny, being duly sworn according to law, depose and state that I am Vice President for Energy Procurement for Duquesne Power, having qualifications as set forth in my Direct Testimony at Duquesne Light Company Statement No. 1; that I am authorized to make this affidavit on behalf of Duquesne Light Company; and that the facts set forth in my Direct Testimony and Exhibits AFP-1 and AFP-2, and in my Rebuttal Testimony and Exhibits AFP-3 through AFP-7, are true and correct to the best of my knowledge, information and belief; and that I expect to be able to prove the same at any hearing hereof.



Anthony F. Pekny

SWORN TO AND SUBSCRIBED
before me this 2nd day of September, 2010



Notary Public
My Commission Expires: Oct. 6, 2011

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Mary Jane Hammer, Notary Public
City Of Pittsburgh, Allegheny County
My Commission Expires Oct. 6, 2011
Member, Pennsylvania Association of Notaries

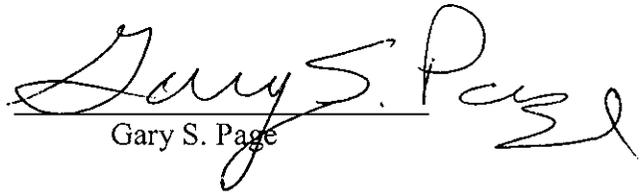
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**BEFORE THE
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Petition of Duquesne Light Company to :
Contest the Finding of Non-Compliance :
with the Alternative Energy Portfolio : Docket No. P-2010-2153577
Standards Act and Modify the Alternative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

AFFIDAVIT

I, Gary S. Page, being duly sworn according to law, depose and state that I am Supervisor, Energy Assets and Markets for Duquesne Power, having qualifications as set forth in my Direct Testimony at Duquesne Light Company Statement No. 2; that I am authorized to make this affidavit on behalf of Duquesne Light Company; and that the facts set forth in my Direct Testimony and Exhibits GSP-1 and GSP-2 are true and correct to the best of my knowledge, information and belief; and that I expect to be able to prove the same at any hearing hereof.

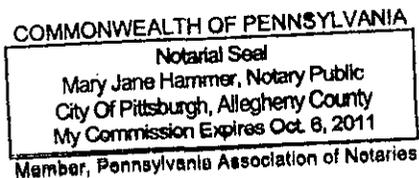


Gary S. Page

SWORN TO AND SUBSCRIBED
before me this 2nd day of September, 2010



Notary Public
My Commission Expires: Oct. 6, 2011



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