



Duquesne Light

Our Energy...Your Power

Legal Department
411 Seventh Avenue, 16-1
Pittsburgh, PA 15219

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Krycia Kubiak
Assistant General Counsel

December 17, 2010

Via Electronic Filing

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

RE: Martin I. Coleman v. Duquesne Light Company
Docket No. F-2010-2167353

Dear Secretary Chiavetta:

Enclosed please find Duquesne Light Company's Motion to Compel Discovery. A copy of this document has been served upon Complainant in accordance with Commission regulations.

Sincerely,

Krycia Kubiak
Assistant General Counsel
Duquesne Light Company

encs

cc: Administrative Law Judge Mark A. Hoyer (w/enclosure)
Martin I. Coleman (w/enclosure)

Before the
PENNSYLVANIA PUBLIC UTILITY COMMISSION

MARTIN I. COLEMAN)	
)	
Complainant,)	
)	
v.)	Docket No. F-2010-2167353
)	
DUQUESNE LIGHT COMPANY,)	
)	
Respondent.)	

**RESPONDENT'S DUQUESNE LIGHT COMPANY'S
MOTION TO COMPEL DISCOVERY**

TO THE HONORABLE COMMISSION:

NOW comes Respondent Duquesne Light Company, by and through its attorney Kryisia Kubiak, and files this Motion to Compel Discovery:

1. Respondent Duquesne Light Company served its Request for Documents on Complainant Martin I. Coleman by first-class mail on October 5, 2010. See Exhibit 1.
2. Respondent received no response to the Request for Documents served on October 5, 2010.
3. In a conference conducted before the scheduled hearing in this matter, on November 23, 2010, Complainant claimed that he had not received the Request for Documents.
4. Administrative Law Judge Mark A. Hoyer granted a continuance so that Respondent could re-serve its Request for Documents and so that Complainant could respond.

5. Respondent served its Request for Documents on Complainant Martin I. Coleman for a second time by first-class mail on November 23, 2010. See Exhibit 2.

6. Respondent received no response to the Request for Documents served on November 23, 2010.

7. Respondent's Requests for Documents were within the permissible scope of discovery detailed in 52 Pa. Code §5.321(c).

8. Commission Regulation 5.349(b), 52 Pa. Code §5.349(b), provides that a party seeking discovery may request documents from the party against whom discovery is sought, at the expense of the party seeking discovery.

9. Commission Regulation 5.349(d), 52 Pa. Code §5.349(d), provides that the party upon whom the request is served shall serve a written response within 20 days of the service of the request.

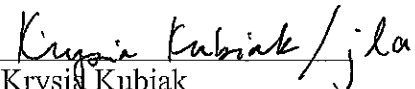
10. Commission Regulation 5.349(d), 52 Pa. Code §5.349(d), provides that the party submitting the request may move for an order under §5.342(e) with respect to an objection or to other failure to respond to the request or any part thereof, or failure to permit inspection as requested.

11. Commission Regulation 5.342(e), 52 Pa. Code §5.342(e), provides that the objecting party shall serve objections within ten days of service.

12. Commission Regulation 5.342(g) 52 Pa. Code §5.342(g), provides that "[w]ithin 10 days of service of an objection to interrogatories, the party submitting the interrogatories may file a motion requesting the presiding officer to dismiss an objection and compel that the interrogatory be answered."

WHEREFORE, Respondent requests that the Commission direct Complainant to fully and completely answer said document requests forthwith.

Respectfully submitted,


Krysia Kubiak
Attorney for Respondent
Duquesne Light Company
411 7th Avenue (16-1)
Pittsburgh, PA 15219
Telephone: (412) 393-6505
FAX: (412) 393-5897

Before the
PENNSYLVANIA PUBLIC UTILITY COMMISSION


MARTIN I. COLEMAN,)
)
 Complainant,)
)
 v.) Docket No. F-2010-2167353
)
 DUQUESNE LIGHT COMPANY,)
)
 Respondent.)

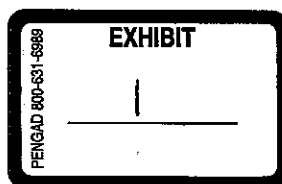
CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document upon the participant listed below in accordance with the requirements of 52 PA. Code § 1.54 (relating to service by a participant).

Martin I. Coleman
77 Durand Place
Apartment #1
Irvington, NJ 07111

Dated this 5th day of October, 2010.


Kysia Kubiak
Pa. I.D. # 90619
Duquesne Light Company
411 Seventh Avenue
Mail Drop 16-1
Pittsburgh, PA 15219
Telephone: (412) 393-6505
FAX (412) 393-1418



Before the
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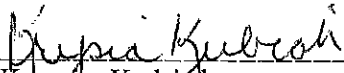
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CERTIFICATE OF SERVICE

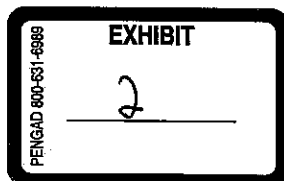
I hereby certify that I have this day served a true copy of the foregoing document upon the participant listed below in accordance with the requirements of 52 PA. Code § 1.54 (relating to service by a participant).

Martin I. Coleman
77 Durand Place
Apartment #1
Irvington, NJ 07111

Dated this 23rd day of November, 2010



Krysta Kubiak
Pa. I.D. #90619
Duquesne Light Company
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Mail Drop 16-1
Pittsburgh, PA 15219
Telephone: (412) 393-6505
FAX: (412) 393-1418



Before the
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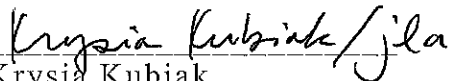
Docket No. F-2010-2167353

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document upon the participant listed below in accordance with the requirements of 52 PA. Code § 1.54 (relating to service by a participant).

Martin I. Coleman
77 Durand Place
Apartment #1
Irvington, NJ 07111

Dated this 17th day of December, 2010


Krysia Kubiak
Pa. I.D. #90619
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Telephone: (412) 393-6505
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