



Duquesne Light
Our Energy...Your Power

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Gary A. Jack
Assistant General Counsel

June 10, 2011

VIA E-FILING

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building, 2nd Floor
400 North Street
Harrisburg, PA 17120

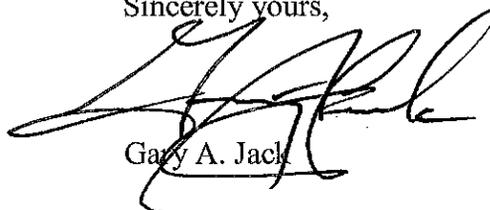
**Re: Petition of Duquesne Light Company for a Permanent
Waiver of the EDI 568 Obligation for POR Customers
Docket No. P-**

Dear Secretary Chiavetta:

Please find enclosed for filing Duquesne Light Company's Petition for a Permanent Waiver of the EDI 568 Obligation for Purchase of Receivables ("POR") Customers.

If you have any questions, please do not hesitate to contact me.

Sincerely yours,



Gary A. Jack

Enclosures

cc: All Parties listed
on the Certificate of Service

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of Duquesne Light Company's Petition for a Permanent Waiver of the EDI 568 Obligation for POR Customers has been served upon the following persons, in the manner indicated, in accordance with the requirements of § 1.54 (relating to service by a participant):

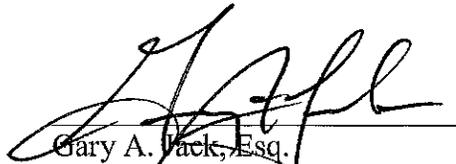
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Dated June 10, 2011



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Counsel for Duquesne Light Company

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Petition of Duquesne Light Company :
For Permanent Waiver of the EDI 568 :
Obligation for POR Customers :

Docket No. P-_____

PETITION OF DUQUESNE LIGHT COMPANY

Pursuant to 52 Pa. Code §§ 5.41 and 5.43,¹ Duquesne Light Company (“Duquesne” or “Company”) hereby files this Petition requesting that the Commission grant a permanent waiver of the EDI 568 obligation for Duquesne’s customers participating in the Duquesne Purchase of Receivables (“POR”) Program for such time as Duquesne continues to offer such a POR program.

In support of this Petition, Duquesne states as follows:

I. Background

1. Duquesne petitioned for approval of a three-year pilot Purchase of Receivables (“POR”) Program as part of its POLR IV case, filed January 25, 2007, for those Electric Generation Suppliers (“EGS”) wanting to participate in such a voluntary program. The POR program has Duquesne purchasing the account receivables of residential and small

¹ §5.43 Petitions for issuance, amendment, repeal, or waiver of Commission regulations. (a) A petition to the Commission for the issuance, amendment, waiver or repeal of a regulation must set forth clearly and concisely the interest of the petitioner in the subject matter, the specific regulation, amendment, waiver or repeal requested, and cite by appropriate reference the statutory provision or other authority involved. The petition must set forth the purpose of, and the facts claimed to constitute the grounds requiring the regulation, amendment, waiver or repeal. Petitions for issuance or amendment of a regulation shall incorporate the proposed regulation or amendment.

and medium sized commercial and industrial served by EGSs in the Duquesne territory. It removes the collection obligation and a certain amount of risk from participating EGSs. It also removes the work of credit evaluation from the EGS.

2. A Settlement Stipulation, which included a POR Agreement signed by joint petitioners and interested parties, was filed in Duquesne's Provider of Last Resort IV ("POLR IV") case² and was approved by the Commission on June 22, 2007.
3. The Commission reopened the POLR IV case by Secretarial Letter dated December 28, 2007, in order to determine two issues: (1) whether general waiver language that appeared in a portion of testimony appended to the case extended to "orders;" and (2) if the Company is obligated to comply with the Commission's Order entered March 19, 1999 at Docket No. M-00960890F0015 regarding Electronic Data Interchange ("EDI") obligations.
4. By Order entered June 26, 2008 ("EDI 568 Waiver Order"), on the above issues, the Commission concluded that (1) the general waiver language alleged by the Company does not apply to Commission orders; (2) the requirement to use the EDI 568 collections transaction for Duquesne Light's POR Program shall be waived. The Commission granted a temporary waiver *ex post facto* of the EDI 568 obligation for POR customers; and (3) directed Duquesne Light to initiate discussion with EDEWG for reaching an acceptable solution on the timing process for the EDI 814 Advance Notice of Intent to Drop and prepare an EDI change control request, as appropriate.

² Petition of Duquesne Light Company for Approval Of a Default Service Plan for the Period January 1, 2008 Through December 31, 2010, Docket No. P-00072247

5. As part of POLR V, Duquesne proposed the continuation of the POR program for the duration of POLR V. This continuation was approved *inter alia* by the PUC by order dated June 21, 2010 at Docket No. P-2009-2135500.
6. The POR program in POLR V is a permanent program for at least the period of time POLR V is in effect, i.e., through May 31, 2013. At this point in time, it is unknown whether the POR program will continue after May 31, 2013.

II. Report on EDI 814 Discussions

7. The EDI 568 Waiver Order directed the Company to initiate discussions with the Electronic Data Exchange Working Group (“EDEWG”) for reaching an acceptable solution to all parties on the timing process for the EDI 814 Advance Notice of Intent to Drop and prepare an EDI change control request, as appropriate. Duquesne initiated this discussion in the summer of 2008 during several EDEWG meetings. The proposed resolution was to continue to send to EGSs the EDI 814 Notice of Intent to drop 7-10 days prior to the actual drop. The members in EDEWG meetings in the fall of 2008 voted in favor of that continued practice. No EGS expressed disagreement. In November 2008, EDEWG closed the matter as having been resolved.

III. Request for Permanent Waiver of EDI 568 as long as POR Continues

8. The *Electronic Data Exchange Standards for Electric Deregulation in the Commonwealth of Pennsylvania Revised Plan*³ (“Revised Plan”) defines the EDI 568 transaction as follows: “This transaction can be used to enable the transmission of a management report to provide the details of payments and collections made against funds obligated on contracts, orders, and other services.” Revised Plan at 13. The Revised

³ Electronic Data Exchange Standards for Electric Deregulation in the Commonwealth of Pennsylvania Revised Plan v 2.6, approved by Commission order entered December 8, 2008 at Docket No. M-0096089F0015.

Plan further explains the purpose of the EDI 568 transaction. “The Billing Party sends a 568 to the party on whose behalf they are collecting payment to detail how much was paid by the customer in the assumption of receivables (“AOR”) scenario. The 568 contains remittance/financial information and credit/credit adjustment information by account.” *Id.* In other words, the EDI 568 transaction provides notice of customer collections to the EGS.

9. With the POR program, Duquesne is collecting on all of the customer debt for the POR accounts. Duquesne is both the billing party and the owner of the debt, since it purchased the account receivable through the POR program. Since Duquesne owns the debt, the 568 collection notice is unnecessary. It would be a notice from Duquesne to Duquesne. Other EGSs supported Duquesne’s waiver of the EDI 568 transaction for POR accounts. For example, Dominion Retail, Inc (“Dominion”)⁴ supported the temporary waiver of the EDI 568 and commented during the proceeding to grant the waiver, “suppliers such as Dominion that will participate in the POR program have no need for the EDI 568. Mandating that it be sent anyway would only add extraneous and costly administrative requirements to both Duquesne and suppliers to the ultimate detriment of the POR customers.” Dominion Comments at 2.
10. For non-POR accounts, Duquesne has and will continue to follow the same 568 process it has followed for years, sending the 568 transactions to all suppliers on whose behalf it is collecting.

⁴ Comments of Dominion Retail, Inc. in Response to December 28, 2007 Secretarial Letter at Docket Nos. P-00072247 and M-00960890 F0015.

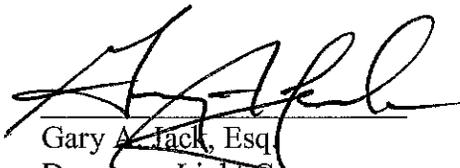
11. The POR program continues to work for Duquesne, its customers, and EGSs. To date, Duquesne has not received a complaint from anyone about Duquesne not utilizing an EDI 568 notice.
12. Due to the passage of three years since the temporary waiver was granted, Duquesne believes it should ask for a review of the temporary waiver by the Commission. Since Duquesne is continuing its POR program at least through May 31, 2013 (end of POLR V) and perhaps thereafter, it requests a permanent waiver for as long as a POR program is in place. Should the POR program terminate, the waiver would terminate. Alternatively, if a permanent waiver is not granted, a temporary waiver should be granted for so long as the POR program is in existence.

IV. Conclusion

Wherefore, Duquesne Light Company respectfully requests that the Commission issue a permanent waiver of the EDI 568 obligation for Duquesne for so long as the POR program is in existence.

Respectfully Submitted,

Duquesne Light Company



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Counsel for Duquesne Light Company

VERIFICATION

I, Kristine B. Domino, state that I am authorized to make this Verification on behalf of Duquesne Light Company, being a Manager Program Office, Technology, for the Company, and that the facts set forth above 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 a hearing held in this matter. I understand that the statements herein are made subject to penalties relating to unsworn falsification.

6-10-11

Date

Kristine B. Domino

Kristine B. Domino