



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.

December 5, 2012

FILED ELECTRONICALLY

Ms. Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

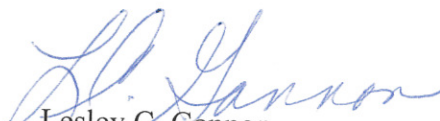
Re: Municipal Contract filed under Regulation 3.101
License Agreement between Duquesne Light Company and the County of
Allegheny relating to property owned by the County of Allegheny and situate in
the County of Allegheny, Pennsylvania

Dear Secretary Chiavetta:

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

Should you have any questions regarding the enclosed filing or Agreement, please feel free to call.

Sincerely,



Lesley C. Gannon

cc: Robert H. Hoaglund, Esq.

LICENSE AGREEMENT

This License Agreement (this "Agreement") is entered into and effective this 5th day of November, 2012, by and between the COUNTY OF ALLEGHENY, a home rule municipality and political subdivision of the Commonwealth of Pennsylvania, through its Public Works Department, having its principal office at Room 501 County Office Building, 542 Forbes Avenue, Pittsburgh, Pennsylvania 15219, County of Allegheny, Commonwealth of Pennsylvania ("County") and DUQUESNE LIGHT COMPANY, a Pennsylvania corporation having its principal place of business at 411 Seventh Avenue, Pittsburgh, PA 15219, County of Allegheny, Commonwealth of Pennsylvania ("Licensee").

WHEREAS, COUNTY owns, operates and maintains Settlers Cabin Park, a public park located in Robinson Township, Allegheny County, Pennsylvania (the "Park");

WHEREAS, COUNTY requires electrical service in and to certain portions of the Park;

WHEREAS, in order to provide such electrical service, LICENSEE requires a license from COUNTY for the purpose of installing electrical facilities on certain real property in the Park; and

WHEREAS, COUNTY deems granting such license to LICENSEE to be in the public interest.

NOW THEREFORE, for and in consideration of the sum of ONE AND 00/100 (\$1.00) DOLLAR, other mutual benefits and the mutual promises and covenants made in this Agreement, the receipt and adequacy of which are acknowledged, the parties hereto agree as follows:

1. COUNTY hereby grants to LICENSEE, its successors and assigns, a license for providing, transmitting and/or distributing electric and/or communications services for any and all purposes, including, without limitation, 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 (#363463), together with crossarms, cables, wires, anchor, guys and other fixtures and apparatus thereto belonging, upon, over, under, along, across and through the portion of the Park having Tax ID #264-A-2 in the tax records in and for the County of Allegheny, Commonwealth of Pennsylvania, fronting on Ridge Road, situate in Robinson Township, Allegheny County, Pennsylvania, and shown on Duquesne Light Company Drawing No. **551058**, a copy of which is attached hereto and made a part hereof.

2. LICENSEE 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.

3. Except as set forth in Section 4 hereof, this Agreement is not intended to vest in LICENSEE any easements or interests in the land whatsoever, other than a License. Accordingly, except as set forth in Section 4, below, LICENSEE shall not record this Agreement at any time in the Real Estate Department of the County of Allegheny, Commonwealth of Pennsylvania.

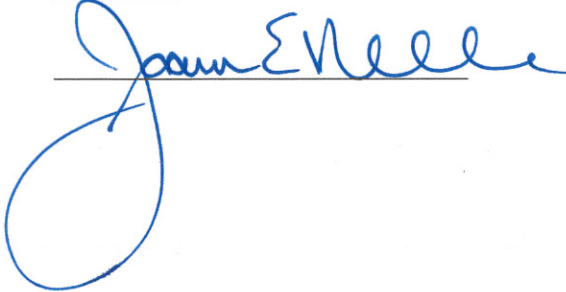
4. If COUNTY sells all or a portion of the real property upon which LICENSEE maintains its electrical facilities hereunder to a private party, this License Agreement shall become a permanent easement in, over and through the portion of the real property sold, and LICENSEE may, in that circumstance only, record this License in the Real Estate Department of the COUNTY of Allegheny, Commonwealth of Pennsylvania.

5. COUNTY shall have the right to request the relocation of LICENSEE'S facilities, or any portion thereof, to another reasonably suitable location; and LICENSEE agrees to relocate its facilities, or any portion thereof, to such other location, if requested. The expense of any such relocation shall be borne by COUNTY.

6. It is understood that this Agreement, after due execution by both parties, will be subject to final approval by the Pennsylvania Public Utility Commission in accordance with the provisions of Section 911 of the Public Utility Law.

IN WITNESS WHEREOF and intending to be legally bound hereby, the parties hereto have executed this Agreement as of the date set forth herein.

ATTEST:



DUQUESNE LIGHT COMPANY

By: 

Name: Russell Profaizer

Title: Supervisor, T&D Engineering

ATTEST:

Sheresa White

COUNTY OF ALLEGHENY

By: William Olczak
Name: William Olczak
Title: County Manager

APPROVED BY DIRECTOR

Joseph A. Olczak
Joseph A. Olczak
Director, Public Works Department

APPROVED AS TO FORM:

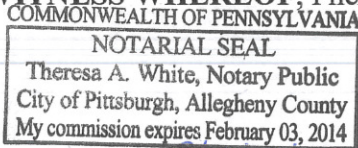
Andrew F. Szefi
Andrew F. Szefi, County Solicitor
Assistant County Solicitor
Assistant County Solicitor

License Agreement between the Allegheny County, Department of Public Works, and DUQUESNE LIGHT COMPANY, approved by the County Executive on Oct. 18, 2012, Agenda No. 6668-12, and by County Council by its Ordinance No. 02-12-OR enacted February 21, 2012.

COMMONWEALTH OF PENNSYLVANIA)
) SS:
COUNTY OF ALLEGHENY)

On this 6th day of November, 2012, before me, the undersigned authority, personally appeared William D McKain who acknowledged himself to be the Manager of Allegheny County, Pennsylvania, and that he or she, in such capacity and being authorized to do so, executed the foregoing instrument for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.



Theresa A. White
Notary Public

My Commission expires: 2/3/14

CERTIFICATE OF RESIDENCE

I, Russell Profaizer, the Supervisor, T&D Engineering of Duquesne Light Company, do hereby certify that Grantee's precise business address is 411 Seventh Avenue, Pittsburgh, PA.

Witness my hand this 4th day of September, 2012.

Russell Profaizer