

PENNSYLVANIA PUBLIC UTILITY COMMISSION
Uniform Cover and Calendar Sheet

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| <p>1. REPORT DATE: August 25, 2000</p> | <p>2. BUREAU AGENDA NO.: AUG-2000-FUS -1088*</p> |
| <p>3. BUREAU: Fixed Utility Services</p> | <p>5. PUBLIC MEETING DATE: September 13, 2000 <div style="text-align: center; font-size: 2em; font-weight: bold; border: 1px solid black; padding: 5px;">DOCKETED</div> SEP 21 2000</p> |
| <p>4. SECTION(S): Energy</p> | |
| <p>6. APPROVED BY: Director: Rosenthal 3-5242 Manager: Bennett 7-5553 Legal Review by:</p> | |
| <p>7. PERSONS IN CHARGE: Bennett 7-5553</p> | |
| <p>8. DOCKET NO.: R-009747104</p> | |

DOCUMENT FOLDER

9. (a) **CAPTION** (abbreviate if more than 4 lines)
(b) **Short summary of history & facts, documents & briefs**
(c) **Recommendation**

- (a) Petition of Duquesne Light Company for Approval of Plan for Post-Transition Period POLR Service
- (b) On June 30, 2000, Duquesne Light Company filed a Petition for Approval of Plan for Post-Transition Period POLR Service addressing its provider of last resort obligation during the period between the completion of the Company's transition period and December 31, 2004. Under the Company's proposal POLR generation rates would remain capped, transmission and distribution rates would remain capped, and incentives for competition to encourage increased shopping and be put in place.
- (c) The Bureau of Fixed Utility Services recommends that the Commission adopt the proposed order which grants Duquesne Light Company's petition consistent with the discussion in the order.

10. MOTION BY: Commissioner Chm. Quain

Commissioner Brownell - Yes
Commissioner Wilson - Yes
Commissioner Fitzpatrick - Yes

SECONDED: Commissioner Bloom

CONTENTS OF MOTION:

1. The Petition for approval of plan for post-transition period POLR service be held in abeyance until at least the Public Meeting of September 28, 2000;

CONTINUED

CONTENT OF MOTION:

2. The Parties be afforded a period of time of ten (10) days from the date of entry of the Order implementing this Motion to make known to the Commission whether such a collaborative is acceptable, and to provide any necessary waivers; and
3. The Bureau of Fixed Utility Services, in consultation with the Law Bureau, shall prepare the appropriate Order consistent with this Motion.



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17105-3265

September 15, 2000

REFER TO OUR FILE

R-00974104

LARRY R CRAYNE ESQUIRE
RICHARD S HERSKOVITZ ESQUIRE
DUQUESNE LIGHT OCMPANY
411 SEVENTH AVENUE 16-006
PITTSBURGH PA 15230-1930

Petition of Duquesne Light Company for Approval of Plan for Post-
Transition Period Provider of Last Resort Service

To Whom It May Concern:

This is to advise you that the Commission in Public Meeting on September 13, 2000 has adopted an Order in the above-entitled proceeding.

An Order has been enclosed for your records.

Very truly yours,

James J. McNulty
Secretary

Enclosure
Certified Mail
JEP

SEE ATTACHED LIST
FOR ADDITIONAL PARTIES

DOCKETED
SEP 27 2000

DOCUMENT
FOLDER

**PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA. 17105-3265**

Public Meeting held September 13, 2000

Commissioners Present:

John M. Quain, Chairman
Robert K. Bloom, Vice Chairman
Nora Mead Brownell
Aaron Wilson, Jr.
Terrance J. Fitzpatrick

Petition of Duquesne Light Company for
Approval of Plan for Post-Transition Period
Provider Of Last Resort Service

Docket Number:
R-00974104

ORDER

On April 13, 2000, the Commission in its Opinion and Order at Docket No. A-00110150F0023 (Auction Order) directed the Duquesne Light Company (Duquesne) to "continue its collaboration with interested parties on the proper form of POLR II and submit a proposal to the Commission by July 1, 2000." Duquesne and the stakeholders conducted numerous meetings over a six-month period, prior to this filing, and have successfully negotiated to narrow the issues. On June 30, 2000, Duquesne submitted a proposal addressing its Provider of Last Resort (POLR) obligation during the period between the completion of the Company's transition period and December 31, 2004. Duquesne requested that the Commission grant approval of its proposal by September 1, 2000.

Under the Company's POLR II proposal, new levelized shopping credits would commence upon the termination of the competitive transition charge (CTC) for each individual rate classification. These new levelized shopping credits would cease on December 31, 2004. The Company claims that these new shopping credits will produce a 17 % system-average rate reduction. The

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Company states that the benefits produced by these new shopping credits are possible only because Orion Power MidWest, LP. (Orion), the winning bidder in the Auction, has agreed to provide wholesale power at prices that permit the Company to offer such savings. The Company notes, however, that Orion has conditioned its agreement to provide this energy supply upon the implementation of a rule that protects it against POLR customers returning for POLR service only during high-cost months. In addition, the Company proposes a method to compensate Orion for energy costs incurred during the summer of 2000 due to customers returning to POLR service. The Company's proposal also includes several reforms to provide greater customer usage information to the Electric Generation Suppliers (EGSs) and also changes to the allocation of load responsibility and losses. The Company also proposes market-based POLR service in 2004 for large commercial and industrial customers (Rate Classes L, GL, GHL, and HVPS) if a visible, liquid wholesale market exists in the Company's area. The Company's proposal contains an extended rate freeze for transmission and distribution services through December 31, 2003, with an option to extend it through December 31, 2004. The Company has also proposed an increase in the new shopping credits to help offset transmission and distribution costs not reflected in the Company's existing rates which were last established in 1987.

On July 20, 2000, CNG Retail Services filed a petition to intervene as a licensed supplier serving residential customers in Duquesne territory. On July 31, 2000, Allegheny Power submitted a petition to intervene alleging that as an electric distribution company (EDC) in the Commonwealth serving in an area geographically adjacent to the Duquesne Light Company, it has an interest in the proceedings which may lead to a template for other post-transition plans. On August 11, 2000, PECO Energy Company filed a petition to intervene also

asserting that the outcome of this proceeding may become precedent that would be applicable to all EDCs. On August 21, 2000, Allegheny Energy Supply Company filed a petition to intervene. All assert that their individual interests are not represented in the proceeding, that no other party can adequately protect their interests and that allowing their intervention will not cause prejudice to any party. See 52 Pa. Code §§ 5.71 - 5.75.

Answers to Duquesne's POLR proposals were filed by the Office of Consumer Advocate (OCA), the Office of Small Business Advocate (OSBA), the Duquesne Industrial Intervenors (DII), Enron Energy Services, Inc. (Enron) the Mid-Atlantic Power Supply Association (MAPSA), and Strategic Energy L.L.C. (SEL).

On August 14, 2000, the Company submitted its Reply to the Answers of Intervenors on Duquesne's Petition for Approval of Plan for Post-Transition Period POLR Service.

DISCUSSION

The Company's proposal includes several desirable provisions, including rate cap extensions and various incentives to encourage customer choice. The Commission commends the parties for their cooperation in seeking a reasonable outcome. However, we note that the parties, which participated in the negotiations, do not unanimously support several components of the Company's proposal.

The Commission has consistently preferred to employ the consensus model of issue resolution because that model permits the widest possible public

participation in the debate. The Commission has found that it also may result in a thorough airing of the issues in greater public acceptance and legitimacy of the result.

The Commission wishes to initiate a Commission-sponsored collaborative effort, to conclude on or before November 1, 2000. The Collaborative will be facilitated by one or two Commissioners, provided that necessary waivers are submitted by the parties. To that end, the parties shall be afforded a period of ten (10) days from the entry date of this Order to inform the Commission whether such a collaborative is acceptable. By that date, parties must also submit the waivers necessary to permit the Commissioners to facilitate this collaborative effort. Specifically, the parties must agree to waive any objections to the voting on the instant petition, or any subsequent proceedings regarding this matter by those Commissioners who participate as facilitators in the collaborative;

THEREFORE,

IT IS ORDERED:

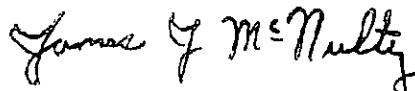
1. That the Commission hold in abeyance until the Public Meeting of September 28, 2000 consideration of the Petition of Duquesne Light Company for Approval of Plan for Post-Transition Period Provider Of Last Resort Service at Docket No. R-00974107.

2. That within ten (10) days from the entry date of this Order, parties may submit written responses addressing the acceptability of the collaborative approach in this proceeding and provide the waivers necessary to permit Commissioners to participate as facilitators in the collaborative.

3. That the individual Petitions to Intervene filed by CNG Retail Services, Allegheny Power, PECO Energy Company and Allegheny Energy Supply Company are granted.

4. That a copy of this order be served on all parties to this docket.

BY THE COMMISSION,



James J. McNulty
Secretary

(SEAL)

ORDER ADOPTED: September 13, 2000

ORDER ENTERED: **SEP 15 2000**

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ACKNOWLEDGEMENT OF RECEIPT & ACCEPTANCE OF SERVICE

AND NOW, to wit, this 18th day of Sept., 2000, ~~19~~

the undersigned, as evidenced by execution hereof, acknowledges receipt, and accepts service of ORDER an official Commission document entered, issued, or otherwise promulgated under date of SEPTEMBER 16, 2000 at Docket No. R-00974104 on behalf of:

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WAYNE T SCOTT ESQUIRE

PA PUC OFFICE OF TRIAL STAFF

PO BOX 3265

HARRISBURG PA 17105-3265

MESSENGER

Elaine C. Meisinger
Signature

Kindly sign and date this acceptance of service and acknowledgement of receipt, and, return the same for filing to:

To: → SECRETARY'S BUREAU RECORD RETENTION
PA PUBLIC UTILITY COMMISSION
B-20, North Office Building
Harrisburg, PA 17105-3265

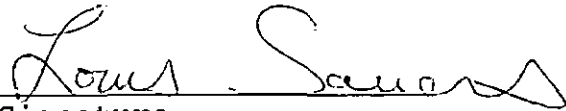
RECEIVED
00 SEP 18 PM 1:19
PA PUC
OFFICE OF TRIAL STAFF

ACKNOWLEDGEMENT OF RECEIPT & ACCEPTANCE OF SERVICE

AND NOW, to wit, this 18 day of Sept, 2000, 1999

the undersigned, as evidenced by execution hereof, acknowledges receipt, and accepts service of ORDER an official Commission document entered, issued, or otherwise promulgated under date of SEPTEMBER 16, 2000 at Docket No. R-00974104 on behalf of:

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Signature

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Harrisburg, PA 17105-3265

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00 SEP 19 AM 8:03

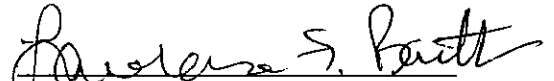
728903

ACKNOWLEDGEMENT OF RECEIPT & ACCEPTANCE OF SERVICE

AND NOW, to wit, this 20th day of September ²⁰⁰⁰ ~~19~~,

the undersigned, as evidenced by execution hereof, acknowledges receipt, and accepts service of ORDER an official Commission document entered, issued, or otherwise promulgated under date of SEPTEMBER 16, 2000 at Docket No. R-00974104 on behalf of:

LAWRENCE BARTH ASST CNSL
PA PUC LAW BUREAU
P O BOX 3265
2ND FLOOR NORTH OFFICE BLDG
HARRISBURG PA 17105-3265
MESSENGER


Signature

Kindly sign and date this acceptance of service and acknowledgement of receipt, and, return the same for filing to:

SECRETARY'S BUREAU RECORD RETENTION
PA PUBLIC UTILITY COMMISSION
B-20, North Office Building
Harrisburg, PA 17105-3265

ACKNOWLEDGEMENT OF RECEIPT & ACCEPTANCE OF SERVICE

AND NOW, to wit, this 19th day of Sept., ²⁰⁰⁰ 19,

the undersigned, as evidenced by execution hereof, acknowledges receipt, and accepts service of ORDER an official Commission document entered, issued, or otherwise promulgated under date of SEPTEMBER 16, 2000 at Docket No. R-00974104 on behalf of:

MARISA SIFONTES
EDMUND J BERGER
OFFICE OF CONSUMER ADVOCATE
555 WALNUT STREET
FORUM PLACE 5TH FLOOR
HARRISBURG PA 17121-1921

Sonya M. Crowley

Signature

Kindly sign and date this acceptance of service and acknowledgement of receipt, and, return the same for filing to:

SECRETARY'S BUREAU RECORD RETENTION
PA PUBLIC UTILITY COMMISSION
B-20, North Office Building
Harrisburg, PA 17105-3265

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00 SEP 20 PM 3:50
PA P.U.C.
SECRETARY'S BUREAU

ACKNOWLEDGEMENT OF RECEIPT & ACCEPTANCE OF SERVICE

AND NOW, to wit, this 20th day of September, 2000,
19

the undersigned, as evidenced by execution hereof, acknowledges receipt, and accepts service of ORDER an official Commission document entered, issued, or otherwise promulgated under date of SEPTEMBER 16, 2000 at Docket No. R-00974104 on behalf of:

HONORABLE JACK WAGNER
SENATE BOX 203042
HARRISBURG PA 17120-3042
MESSENGER


Signature

Kindly sign and date this acceptance of service and acknowledgement of receipt, and, return the same for filing to:

SECRETARY'S BUREAU RECORD RETENTION
PA PUBLIC UTILITY COMMISSION
B-20, North Office Building
Harrisburg, PA 17105-3265

RECEIVED
00 SEP 20 PM 2:58
PA.P.U.C.
SECRETARY'S BUREAU

ACKNOWLEDGEMENT OF RECEIPT & ACCEPTANCE OF SERVICE

AND NOW, to wit, this 20 day of Sept, 1900,

the undersigned, as evidenced by execution hereof, acknowledges receipt, and accepts service of ORDER an official Commission document entered, issued, or otherwise promulgated under date of SEPTEMBER 16, 2000 at Docket No. R-00974104 on behalf of:

HONORABLE GUY A TRAVAGLIO
HOUSE OF REPRESENTATIVES
HOUSE PO MAIN CAPITOL
HARRISBURG PA 17120

MESSENGER

Rep. Guy Travaglio
Signature

RECEIVED
00 SEP 21 AM 10:11
PA. P.U.C.
SECRETARY'S BUREAU

Kindly sign and date this acceptance of service and acknowledgement of receipt, and, return the same for filing to:

SECRETARY'S BUREAU RECORD RETENTION
PA PUBLIC UTILITY COMMISSION
B-20, North Office Building
Harrisburg, PA 17105-3265

ACKNOWLEDGEMENT OF RECEIPT & ACCEPTANCE OF SERVICE

AND NOW, to wit, this 18 day of October, ²⁰⁰⁷ 19 ,

the undersigned, as evidenced by execution hereof, acknowledges receipt, and accepts service of ORDER an official Commission document entered, issued, or otherwise promulgated under date of SEPTEMBER 16, 2000 at Docket No. R-00974104 on behalf of:

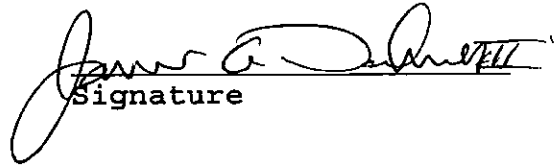
DENISE COVERT ZEVE ESQUIRE

TERRY LUPIA ESQUIRE

14TH FLOOR STRAWBERRY SQUARE

HARRISBURG PA 17120

MESSENGER


Signature

Kindly sign and date this acceptance of service and acknowledgement of receipt, and, return the same for filing to:

7
7
7
SECRETARY'S BUREAU RECORD RETENTION
PA PUBLIC UTILITY COMMISSION
B-20, North Office Building
Harrisburg, PA 17105-3265

00 OCT 20 AM 8:41
RECEIVED
SECRETARY'S BUREAU

ACKNOWLEDGEMENT OF RECEIPT & ACCEPTANCE OF SERVICE

sent per GAO 9/20/00.

AND NOW, to wit, this 20 day of Sept, 192000

the undersigned, as evidenced by execution hereof, acknowledges receipt, and accepts service of ORDER an official Commission document entered, issued, or otherwise promulgated under date of SEPTEMBER 16, 2000 at Docket No. R-00974104 on behalf of:

HONORABLE VICTOR JOHN LESCOVITZ
HOUSE OF REPRESENTATIVES
HOUSE PO MAIN CAPITOL
HARRISBURG PA 17120

MESSENGER



Signature

Kindly sign and date this acceptance of service and acknowledgement of receipt, and, return the same for filing to:

SECRETARY'S BUREAU RECORD RETENTION
PA PUBLIC UTILITY COMMISSION
B-20, North Office Building
Harrisburg, PA 17105-3265

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00 SEP 21 AM 10:30
PA.P.U.C.
SECRETARY'S BUREAU

ACKNOWLEDGEMENT OF RECEIPT & ACCEPTANCE OF SERVICE

AND NOW, to wit, this 20 day of September, 192000,

the undersigned, as evidenced by execution hereof, acknowledges receipt, and accepts service of ORDER an official Commission document entered, issued, or otherwise promulgated under date of SEPTEMBER 16, 2000 at Docket No. R-00974104 on behalf of:

HONORABLE H WILLIAM DEWEESE
HOUSE OF REPRESENTATIVES
HOUSE PO MAIN CAPITOL.
HARRISBURG PA 17120

MESSENGER

H. William Dewese
Signature

Kindly sign and date this acceptance of service and acknowledgement of receipt, and, return the same for filing to:

SECRETARY'S BUREAU RECORD RETENTION
PA PUBLIC UTILITY COMMISSION
B-20, North Office Building
Harrisburg, PA 17105-3265

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P.A.U.C.

00 SEP 21 PM 2:16

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ACKNOWLEDGEMENT OF RECEIPT & ACCEPTANCE OF SERVICE

OFFICE OF SMALL
BUSINESS ADVOCATE

SEP 19 2000

AND NOW, to wit, this _____ day of RECEIVED

the undersigned, as evidenced by execution hereof, acknowledges receipt, and accepts service of ORDER an official Commission document entered, issued, or otherwise promulgated under date of SEPTEMBER 16, 2000 at Docket No. R-00974104 on behalf of:

ANGELA JONES ESQUIRE
SMALL BUSINESS ADVOCATE
COMMERCE BLDG STE 1102
300 N SECOND STREET
HARRISBURG PA 17101
MESSENGER

C. Updegraff
Signature

Kindly sign and date this acceptance of service and acknowledgement of receipt, and, return the same for filing to:

SECRETARY'S BUREAU RECORD RETENTION
PA PUBLIC UTILITY COMMISSION
B-20, North Office Building
Harrisburg, PA 17105-3265

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00 SEP 21 PM 3:28
PA.P.U.C.
SECRETARY'S BUREAU

ACKNOWLEDGEMENT OF RECEIPT & ACCEPTANCE OF SERVICE

AND NOW, to wit, this 20th day of September, 192000,

the undersigned, as evidenced by execution hereof, acknowledges receipt, and accepts service of ORDER an official Commission document entered, issued, or otherwise promulgated under date of SEPTEMBER 16, 2000 at Docket No. R-00974104 on behalf of:

HONORABLE PETER J DALEY II
HOUSE OF REPRESENTATIVES
HOUSE PO MAIN CAPITOL
HARRISBURG PA 17120

MESSENGER



Signature

Kindly sign and date this acceptance of service and acknowledgement of receipt, and, return the same for filing to:

SECRETARY'S BUREAU RECORD RETENTION
PA PUBLIC UTILITY COMMISSION
B-20, North Office Building
Harrisburg, PA 17105-3265

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00 SEP 21 PM 3:14
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SECRETARY'S BUREAU