



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

November 30, 2000

REFER TO OUR FILE

R-00974104

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

DOCUMENT
FOLDER DOCKETED
DEC 7 2000

Pennsylvania Public Utility Commission
v.
Duquesne Light Company; Petition for Approval of Plan for Post-
Transition Period POLR Service

To Whom It May Concern:

This is to advise you that the Commission in Public Meeting on November 29, 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

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17105-3265

Public Meeting held November 29, 2000

Commissioners Present:

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

DOCUMENT
FOLDER

Pennsylvania Public Utility
Commission

v.

Docket No. R-00974104

Duquesne Light Company;
Petition for Approval of Plan for
Post-Transition Period POLR Service

ORDER

DOCKETED
DEC 7 2000

BY THE COMMISSION:

Introduction

This matter comes before the Commission on a Joint Petition for Settlement ("Joint Petition" or "Settlement") filed in the above-captioned proceeding on November 29, 2000 by Duquesne Light Company ("Duquesne" or "Company"), the Office of Trial Staff, the Office of Consumer Advocate, the Office of Small Business Advocate, Citizen Power, Inc., the Duquesne Industrial Intervenors, Enron Energy Services, Inc., Dominion Retail, and Mid-Atlantic Power Supply

Association (collectively, the “Joint Petitioners”). This Joint Petition represents a comprehensive Settlement, which resolves all issues pertaining to the provision of provider of last resort (“POLR”) service by Duquesne during the period between the completion of the Company’s stranded cost recovery and December 31, 2004 (“POLR II period”). The Joint Petitioners aver that the proposed Settlement is in the public interest and therefore request that the Commission approve the Joint Petition without modification.

Background

On June 30, 2000, Duquesne filed a Petition for Approval of Plan for Post-Transition Period POLR Service (“POLR II Petition”) in accordance with the provision in the Commission’s Opinion and Order at Docket No. A-00110150F0023 directing Duquesne to “continue its collaboration with interested parties on the proper form of POLR II and submit a proposal to the Commission.” By the filing of the POLR II Petition, which was the culmination of meetings between Duquesne and the stakeholders over a six-month period, Duquesne submitted its proposal for addressing its POLR obligations during the POLR II period. Specifically, Duquesne proposed the rates, terms and conditions applicable to the provision of POLR service during this post-transition period.

Following the filing of answers and petitions to intervene by various interested parties, the Commission adopted an order on September 13, 2000, proposing to convene a collaborative for the purpose of resolving the issues related

to Duquesne's POLR II Petition. Parties agreed to use the collaborative approach and subsequently signed confidentiality agreements and executed the necessary waivers to permit Commissioners to participate as facilitators in the collaborative.

Meetings began on October 4, 2000 and continued diligently through November 27, 2000. These efforts resulted in the execution and filing of the Joint Petition now before the Commission.

Summary of Joint Petition

The Joint Petition provides for the approval of Duquesne's POLR II petition, subject to numerous modifications that are thoroughly described in the Joint Petition. A significant feature of the proposed Settlement is that it provides for a system-wide average POLR II total rate reduction of 17%, as compared to POLR I total rates, with residential customers receiving a 21% rate reduction. Additionally, the POLR II generation rates established by the proposed settlement would remain in effect for all customer classes through December 31, 2004.

Several other aspects of the proposed Settlement that are touted by the Joint Petitioners as being in the public interest include the extension of existing transmission and distribution rate caps through December 31, 2003, the expansion of Duquesne's universal service programs, the promotion of competition through measures designed to encourage more customers to switch to alternative suppliers, and the commitment by Duquesne to actively pursue admission to or formation of a regional transmission organization to service the customers and marketers in

Western Pennsylvania. The Joint Petitioners also note that this proposed Settlement is consistent with the Commission's policy of encouraging negotiated settlements, as well as the Commission's particular directive in this proceeding to resolve issues relating to Duquesne's POLR II Petition through a collaborative process.

Discussion and Resolution

At the outset, the Commission expresses its appreciation for the countless hours devoted by the parties in resolving the issues affecting the provision of POLR service by Duquesne following the completion of its transition period through December 31, 2004. As the Joint Petitioners recognize, it is critical to implement an orderly process during this POLR II period that adequately protects customers. Since we are satisfied that the Joint Petition reasonably and fairly resolves the issues related to Duquesne's obligations during this post-transition period, we are approving it without modifications.

We are particularly pleased that Duquesne's customers will enjoy a significant overall rate reduction during the post-transition period, which on a system-average basis amounts to a 17% reduction from the total rates now in effect in Duquesne's service territory. It is noteworthy that customers can realize even greater savings by choosing an alternative supplier, and that various features of the proposed settlement are expressly designed to encourage customers to shop for generation supply. For instance, the "shopping credits" or the "prices to

compare” that are produced by the proposed Settlement should enable electric generation suppliers (EGSs) to develop competitive offers for customers in Duquesne’s service territory. Moreover, the provisions of the Joint Petition that provide for greater access by EGSs to customer information and for distribution of shopping guides to residential customers should result in broader participation in the competitive retail market.

Additionally, it is important that customers will be assured the certainty and stability afforded by the rate cap protections for generation service that will continue during the post-transition period, as well as the rate cap extensions for transmission and distribution service. Further, we support the expansion of universal service programs in Duquesne’s service territory.

Finally, we are very encouraged by the commitments made by Duquesne to pursue admission to or the formation of an RTO in Western Pennsylvania. In particular, we note the significance of Duquesne’s agreement to negotiate a memorandum of understanding with PJM Interconnection, L.L.C., which may result in the establishment or expansion of PJM West. We view these efforts as advancing the development of a competitive wholesale and retail market in Duquesne’s service territory.

We recognize that some provisions in the proposed settlement would require customers who return to POLR service to stay with Duquesne for a period of twelve months. Although this restriction would apply to residential customers only after a certain threshold is met, it would be in place for commercial and

industrial customers starting in January of 2001. With respect to residential customers, we note the 90-day notice from EGSs of expected contract terminations would give these customers sufficient time to shop for alternative supply and avoid the twelve-month return to POLR service. Further, as to commercial and industrial customers, the option to pay a generation rate adjustment rather than staying for a twelve-month period gives these customers an important opportunity to more quickly re-enter the competitive market. Particularly in view of the other provisions in the Joint Petition governing Duquesne's obligations during the post-transition period, we are satisfied that these switching rules are reasonable.

Conclusion

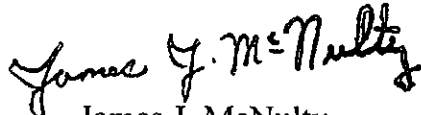
We have thoroughly examined the proposed settlement. Based upon our review of the various provisions and the significant protections afforded to Duquesne's customers during the transition period, we find the Joint Petition to be in the public interest; **THEREFORE, IT IS ORDERED:**

1. That the Joint Petition for Settlement, including Exhibit A and Appendix I, filed on November 29, 2000 is approved without modification.
2. That the Petition for Approval of Plan for Post-Transition Period POLR Service filed by Duquesne Light Company on June 30, 2000 is approved, as modified by the Joint Petition for Settlement.
3. That Duquesne shall submit a revised Retail Tariff and revised Supplier Coordination Tariff by December 7, 2000 to incorporate those provisions of

this Settlement that take effect during the period between January 1, 2001 and the completion of the transition period.

4. That Duquesne shall file its POLR II Agreement, revised Tariff and revised Supplier Coordination Tariff by December 7, 2000. Parties to this proceeding will be afforded an opportunity to file comments to these compliance filings no later than December 14, 2000, with reply comments due by Duquesne Light Company by Noon on December 18, 2000.
5. All filings and comments required by this Order shall be served electronically on all parties, in addition to the standard service requirements imposed by Commission regulations. Parties should also provide electronic copies of filings and comments to rrosental@puc.state.pa.us and moury@puc.state.pa.us, in addition to submitting them with the Secretary.
6. That a copy of this Order shall be served upon all parties of record to this proceeding, provided to any other interested party upon request, and posted to the Commission's website.

By the Commission,


James J. McNulty
Secretary

(SEAL)

Order Adopted: November 29, 2000

Order Entered: **NOV 30 2000**

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ACKNOWLEDGEMENT OF RECEIPT & ACCEPTANCE OF SERVICE

AND NOW, to wit, this _____ day of _____, 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 NOVEMBER 29, 2000 at Docket No. R-00974104 on behalf of:

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MESSENGER

OFFICE OF SMALL
BUSINESS ADVOCATE

DEC 12 2000

RECEIVED

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

RECEIVED
00 DEC 19 PM 1:54
PA.P.U.C.
SECRETARY'S BUREAU

ACKNOWLEDGEMENT OF RECEIPT & ACCEPTANCE OF SERVICE

AND NOW, to wit, this 12th day of Dec., 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 NOVEMBER 29, 2000 at Docket No. R-00974104 on behalf of:

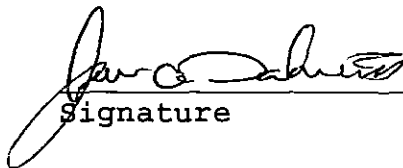
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MESSENGER



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
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RECEIVED
SECRETARY'S BUREAU

00 DEC 14 AM 9:16

00974

ACKNOWLEDGEMENT OF RECEIPT & ACCEPTANCE OF SERVICE

AND NOW, to wit, this 30th day of Nov., 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 NOVEMBER 29, 2000 at Docket No. R-00974104 on behalf of:

KANDACE F MELILLO ESQUIRE

WAYNE T SCOTT ESQUIRE

PA PUC OFFICE OF TRIAL STAFF

PO BOX 3265

HARRISBURG PA 17105-3265

MESSENGER

Elaine C. Messinger
Signature

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

00 NOV 30 PM 1:18
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SECRETARY'S BUREAU

To: →

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

39231

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00 NOV 30 PM 12:35
PA PUC
OFFICE OF TRIAL STAFF

ACKNOWLEDGEMENT OF RECEIPT & ACCEPTANCE OF SERVICE

AND NOW, to wit, this 4th day of December, 2000.

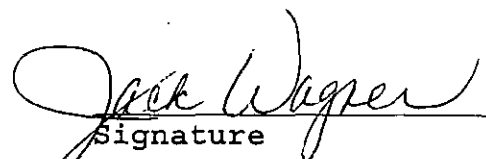
the undersigned, as evidenced by execution hereof, acknowledges receipt, and accepts service of ORDER an official Commission document entered, issued, or otherwise promulgated under date of NOVEMBER 29, 2000 at Docket No. R-00974104 on behalf of:

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

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00 DEC -4 PM 2:00
PA.P.U.C.
SECRETARY'S BUREAU

ACKNOWLEDGEMENT OF RECEIPT & ACCEPTANCE OF SERVICE

AND NOW, to wit, this 1 day of December, 192000,

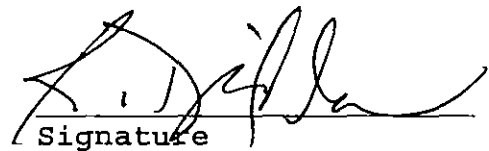
the undersigned, as evidenced by execution hereof, acknowledges receipt, and accepts service of ORDER an official Commission document entered, issued, or otherwise promulgated under date of NOVEMBER 29, 2000 at Docket No. R-00974104 on behalf of:

R DAVID MYERS

16 EAST WING

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 DEC -4 PM 2:42
PA.P.U.C.
SECRETARY'S BUREAU

ACKNOWLEDGEMENT OF RECEIPT & ACCEPTANCE OF SERVICE

AND NOW, to wit, this 30th day of November, ~~19~~ ²⁰⁰⁰,

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 NOVEMBER 29, 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

Stanley J. McElroy
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 DEC -1, PM 3:51
PA.P.U.C.
SECRETARY'S BUREAU

ACKNOWLEDGEMENT OF RECEIPT & ACCEPTANCE OF SERVICE

AND NOW, to wit, this 1 day of Dec, 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 NOVEMBER 29, 2000 at Docket No. R-00974104 on behalf of:

LOU SAUERS
BCS 7TH FLOOR
BARTO BUILDING
P O BOX 3265
HARRISBURG PA 17105-3265
MESSENGER

Lou Sauers
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
SECRETARY'S BUREAU

00 DEC -1 PM 1:20

739488

ACKNOWLEDGEMENT OF RECEIPT & ACCEPTANCE OF SERVICE

AND NOW, to wit, this 1 day of Dec, 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 NOVEMBER 29, 2000 at Docket No. R-00974104 on behalf of:

HONORABLE GUY A TRAVAGLIO
HOUSE OF REPRESENTATIVES

HOUSE PO MAIN CAPITOL

HARRISBURG PA 17120

MESSENGER

Guy A. Travaglio
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 DEC - 1 PM 2:31
PA.P.U.C.
SECRETARY'S BUREAU

ACKNOWLEDGEMENT OF RECEIPT & ACCEPTANCE OF SERVICE

AND NOW, to wit, this 4th day of December, 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 NOVEMBER 29, 2000 at Docket No. R-00974104 on behalf of:

LAWRENCE BARTH ASST CNSL

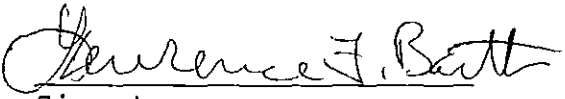
PA PUC LAW BUREAU

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
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Harrisburg, PA 17105-3265

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739854

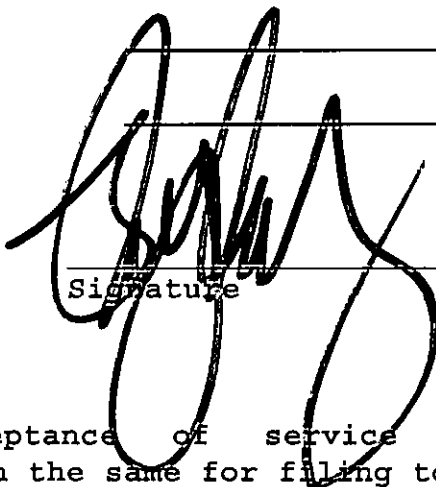
ACKNOWLEDGEMENT OF RECEIPT & ACCEPTANCE OF SERVICE

AND NOW, to wit, this 4th day of December, 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 NOVEMBER 29, 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