

March 28, 2013

*Via Electronic Filing*

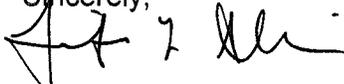
Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

RE: Rebecca Coger v. Duquesne Light Company  
Docket No. C-2013-2346953

Dear Secretary Chiavetta:

Enclosed please find Duquesne Light Company's Motion for Judgment on the Pleadings. A copy of this document has been served upon Complainant in accordance with Commission regulations.

Sincerely,



Jennifer L. Allison  
Attorney for Duquesne Light Company

Enclosure

cc: Rebecca Coger (with enclosure)  
Administrative Law Judge Conrad A. Johnson (with enclosure)



**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

REBECCA COGER,	:	
	:	
Complainant,	:	
	:	
vs.	:	No: C-2013-2346953
	:	
DUQUESNE LIGHT COMPANY,	:	
	:	
Respondent.	:	

**MOTION FOR JUDGMENT ON THE PLEADINGS**

TO THE HONORABLE COMMISSION:

AND NOW comes Respondent, Duquesne Light Company, by and through its attorneys, Tucker Arensberg, P.C., pursuant to 52 Pa. Code §5.102(a), respectfully petitions this Honorable Commission to dismiss this Complaint inasmuch as it requests damages for the following reasons:

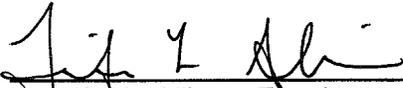
1. This Complaint should be dismissed inasmuch as it is a request for damages because the Commission lacks jurisdiction to award damages.
2. Complainant filed a Formal Complaint with the Pennsylvania Public Utility Commission that was served on February 8, 2013 wherein Complainant claimed that Respondent damaged her property and requested that Respondent pay for repairs to her property.
3. Duquesne Light Company filed an Answer and New Matter on February 28, 2013.
4. Complainant has not responded to Respondent's Answer and New Matter.
5. To the extent that Complainant is seeking compensation for the alleged damages, that request should be denied.

6. The Public Utility Commission is without the power or jurisdiction to award damages to Complainant and therefore the Complaint is insufficient as to substance because it fails to state a claim upon which the Commission can grant relief. Therefore, since the Commission lacks the jurisdiction to award damages and the Complaint is insufficient in as much as it requests monetary relief, the part of the Complaint seeking damages should be dismissed pursuant to 52 Pa. Code §5.102(a).

WHEREFORE, Respondent, Duquesne Light Company, respectfully requests that the Honorable Commission dismiss the instant Complaint inasmuch as it is a request for damages.

Respectfully submitted,

TUCKER ARENSBERG, P.C.



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Jennifer L. Allison, Esquire  
PA I.D. No. 307945

1500 One PPG Place  
Pittsburgh, PA 15222  
(412) 594-5527

Counsel for Respondent

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

REBECCA COGER,

Complainant,

vs.

DUQUESNE LIGHT COMPANY,

Respondent.

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No: C-2013-2346953

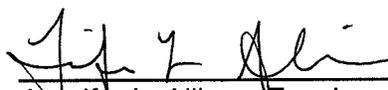
**CERTIFICATE OF SERVICE**

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):

Rebecca Coger  
1708 Brighton Rd.  
Pittsburgh, PA 15212

Dated this 28<sup>nd</sup> of March, 2013

TUCKER ARENSBERG, P.C.

  
\_\_\_\_\_  
Jennifer L. Allison, Esquire  
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Company