



SPILMAN THOMAS & BATTLE, PLLC
ATTORNEYS AT LAW

Barry A. Naum
Direct Dial (717) 795-2742
bnaum@spilmanlaw.com

February 4, 2014

VIA ELECTRONIC FILING

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

**Re: Pennsylvania Public Utility Commission v. Duquesne Light Company;
Docket Nos. R-2013-2372129, et al.**

Dear Secretary Chiavetta:

On behalf of United States Steel Corporation ("U. S. Steel"), please accept this letter in lieu of a formal response to the Objections to the Joint Petition for Non-Unanimous Settlement ("Settlement") filed by NRG Power Midwest LP, NRG Energy Center Pittsburgh LLC, and Reliant Energy Northeast LLC ("NRG Parties") on January 30, 2014, in the above-referenced proceeding. U. S. Steel was an active participant in this case and joined the Settlement and respectfully urges the Pennsylvania Public Utility Commission ("PUC" or "Commission") to deny the NRG Companies' objections and approve the Settlement as filed.

Specifically, despite general protests to the Settlement on the basis of an omission of Rider No. 18 issues, nothing in the NRG Companies' Objections explains how the specific terms of the Settlement violate the public interest standard that the parties joining the Settlement have advanced. As noted in the NRG Companies' Objections:

The Commission's statutory responsibility in evaluating the Non-Unanimous Settlement is to determine whether it is in the "public" interest – not the interest of Duquesne Light; not the interest of Beaver Falls Municipal Authority; not the interest of Beaver Valley Power Company; and, not the interest of the NRG Companies. The public interest is broader than the individual economic interests of specific persons or entities.

NRG Companies' Objections, p. 5 (emphasis added). U. S. Steel fundamentally agrees with this assessment of the public interest at stake in this proceeding, but respectfully notes that the NRG Companies have not demonstrated how the broad public interest – taken as a whole, as the

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numerous and varied interests of the general public intersect – is violated by *any* provision of the Settlement. Indeed, the NRG Companies have expressly raised an objection on the basis of a single issue affecting the "individual economic interests of specific persons," namely, the NRG Companies. By the NRG Companies' own standard, their Objections must therefore fail.

For all of the reasons stated in its Statement in Support of the Settlement, U. S. Steel maintains that the Settlement filed in this proceeding, though non-unanimous, effectively and demonstrably advances the public interest. Accordingly, as stated above, U. S. Steel respectfully requests that the Commission deny the Objections of the NRG Companies and approve the Settlement as filed.

This document was filed electronically with the Commission on this date. All parties are being served a copy of this document in accordance with the enclosed Certificate of Service.

Please contact me if you have any questions concerning this filing.

Sincerely,

SPILMAN THOMAS & BATTLE, PLLC

By



Barry A. Naum
Derrick Price Williamson

BAN/sds

Enclosures

c: Honorable Conrad A. Johnson (via E-mail and First Class Mail)
Certificate of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:	
	:	
v.	:	Docket Nos. R-2013-2372129, <u>et al.</u>
	:	
Duquesne Light Company	:	

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document upon the following parties to this proceeding in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by participant).

VIA E-MAIL AND FIRST CLASS MAIL

Candis A. Tunilo, Esq.
David T. Evrard, Esq.
Amy E. Hirakis, Esq.
Office of Consumer Advocate
555 Walnut Street
5th Floor Forum Place
Harrisburg, PA 17101-1923
ctunilo@paoca.org
devrard@paoca.org
ahirakis@paoca.org

Sharon E. Webb, Esq.
Office of Small Business Advocate
300 North Second Street
Suite 1101
Harrisburg, PA 17101
swebb@pa.gov

Charles Daniel Shields, Esq.
Bureau of Investigation & Enforcement
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor West
P.O. Box 3265
Harrisburg, PA 17105-3265
chshields@pa.gov

Michael W. Gang, Esq.
Anthony D. Kanagy, Esq.
Christopher T. Wright, Esq.
Post & Schell, P.C.
17 North Second Street, 12th Floor
Harrisburg, PA 17101-1601
mgang@postschell.com
akanagy@postschell.com
cwright@postschell.com

David B. MacGregor, Esq.
Post & Schell, P.C.
Four Penn Center
1600 John F. Kennedy Boulevard
Philadelphia, PA 19103-2808
dmacgregor@postschell.com

Robert H. Hoaglund, II, Esq.
Tishekia E. Williams, Esq.
Duquesne Light Company
411 Seventh Avenue, 16th Fl.
Pittsburgh, PA 15219
rhoaglund@duqlight.com
twilliams@duqlight.com

Pamela C. Polacek, Esq.
Teresa K. Schmittberger, Esq.
McNees Wallace & Nurick, LLC
100 Pine Street
P.O. Box 1166
Harrisburg, PA 17108-1166
ppolacek@mwn.com
tschmittberger@mwn.com

Scott J. Rubin, Esq.
Public Utility Consulting
333 Oak Lane
Bloomsburg, PA 17815
Scott.j.rubin@gmail.com

Theodore S. Robinson, Esq.
Citizen Power
2121 Murray Avenue
Pittsburgh, PA 15217
robinson@citizenpower.com

Joseph L. Vullo, Esq.
1460 Wyoming Avenue
Forty Fort, PA 18704
jlvullo@aol.com

Todd S. Stewart, Esq.
Hawke McKeon & Sniscak, LLP
100 North Tenth Street
P.O. Box 1778
Harrisburg PA 17105-1778
tsstewart@hmslegal.com

Harry S. Geller, Esq.
Patrick M. Cicero, Esq.
Pennsylvania Utility Law Project
118 Locust Street
Harrisburg, PA 17101
pulp@palegalaid.net

David P. Zambito, Esq.
Cozen O'Connor
305 North Front Street, Suite 400
Harrisburg, PA 17101
dzambito@cozen.com

George Jugovic, Jr., Esq.
Heather Langeland, Esq.
Citizens' for Pennsylvania's Future
200 First Avenue, Suite 200
Pittsburgh, PA 15222
Jugovic@pennfuture.org
Langeland@pennfuture.org

John F. Povilaitis, Esq.
Alan Michael Seltzer, Esq.
Buchanan Ingersoll & Rooney, PC
409 North Second Street, Suite 500
Harrisburg, PA 17101-1357
John.povilaitis@bipc.com
Alan.seltzer@bipc.com



Barry A. Naum

Dated: February 4, 2014