

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of Duquesne <i>Light Company</i>	:	
for a Certificate of Public Convenience under	:	
Section 1102(a)(3) of the Public Utility Code	:	A-110150F0035
approving the acquisition of Duquesne Light	:	
Holding, Inc. by Merger	:	
	:	
And	:	
	:	
Application of DQE Communications Network	:	
Services, LLC, for a Certificate of Public	:	
Convenience under Section 1101(a)(3) of the	:	A-311233F0002
Public Utility Code approving the acquisition of	:	
Duquesne Light Holding, Inc. by Merger	:	

INTERIM ORDER

The hearings in this consolidated proceeding, which were scheduled to commence on January 30, 2007, were cancelled based on representations of counsel for the Applicants that a comprehensive settlement had been reached with the other parties.¹ The Joint Petition for Settlement was filed with the Secretary of the Commission on February 9, 2007, and is currently pending before me. Prior to the cancellation of the hearings, and in accordance with the Prehearing Order and Revised Prehearing Order that were issued in this case, several of the parties served prepared direct, rebuttal, and surrebuttal testimony.

The parties to this proceeding, including Citizen Power, have now filed an All Parties Stipulation for the Admission of Testimony and Exhibits into the Record. The Stipulation is contingent upon the Commission's approval of the Settlement without modification. However, in the event that the Commission does not approve the Settlement and this matter proceeds to hearing, the Parties reserve their respective rights to conduct full cross-examination and briefing.

¹ Citizen Power neither supports nor opposes the settlement.

Upon consideration of the terms and conditions of the Stipulation, it is my opinion that it should be approved, and the testimony and exhibits of the Parties, as identified therein, should be admitted into the record of this proceeding.

THEREFORE,

IT IS ORDERED:

1. That the All Parties Stipulation for the Admission of Testimony and Exhibits into the Record at Docket Nos. A-110150F0035 and A-311233F0002, is approved.

2. That the following statements and exhibits are admitted into the record at Docket Nos. A-110150F0035 and A-311233F0002:

A. Duquesne Light Company and DQE Holdings LLC Statements and Exhibits

Application and Direct Testimony

DLC Exhibit No. 1	Application for a Certificate of Public Convenience Under Section 1102(a)(3) of the Public Utility Code Approving the Acquisition of Duquesne Light Holdings, Inc. by Merger
Duquesne Light Company Statement No. 1	Direct Testimony of Morgan K. O'Brien including Exhibit MKO-1
DQE Holdings, LLC Statement No. 2	Direct Testimony of Christopher J. Leslie including Exhibits CJL-1 and CJL-2

Rebuttal Testimony

Duquesne Light Company Statement No. 1R	Rebuttal Testimony of Morgan K. O'Brien including Exhibits MKO-2 through MKO-4
---	--

DQE Holdings, LLC
Statement No. 2R

Rebuttal Testimony of Christopher J. Leslie
including Exhibits CJL-3 through CJL-5

Duquesne Light Company
Statement No. 3R

Rebuttal Testimony of Joseph G. Sauvage
including Exhibits JGS-1 through JGS-5

Duquesne Light Company
Statement No. 4R

Rebuttal Testimony of Frederick J.
Eichenmiller including Exhibits FJR-1 and
FJR-2

Duquesne Light Company
Statement No. 5R

Rebuttal Testimony of Susan S. Betta

Duquesne Light Company
Statement No. 6R

Rebuttal Testimony of Neil S. Fisher

Duquesne Light Company
Statement No. 7R

Rebuttal Testimony of Michele R. Sandoe

B. OTS Statements and Exhibits

Direct Testimony

OTS Statement No. 1

Direct Testimony of Kevan Deardorff
including Appendix A and OTS Exhibit No.
1, Schedules 1 and 2

Surrebuttal Testimony

OTS Statement No. 1-SR

Surrebuttal Testimony of Kevan Deardorff

C. OCA Statements and Exhibits

Direct Testimony

OCA Statement No. 1

Direct Testimony of Matthew I. Kahal
including Appendices A and B

OCA Statement No. 2

Direct Testimony of Barbara R. Alexander
including Exhibit

Surrebuttal Testimony

OCA Statement No. 1S	Surrebuttal Testimony of Matthew I. Kahal
OCA Statement No. 2S	Surrebuttal Testimony of Barbara R. Alexander

D. OSBA Statements and Exhibits

Direct Testimony

OSBA Statement No. 1	Direct Testimony of Brian Kalcic including Appendix
----------------------	---

Rebuttal Testimony

OSBA Statement No. 2	Rebuttal Testimony of Brian Kalcic
----------------------	------------------------------------

Surrebuttal Testimony

OSBA Statement No. 3	Surrebuttal Testimony of Brian Kalcic
----------------------	---------------------------------------

E. Community Action Association of Pennsylvania Statements and Exhibits

Direct Testimony

CAAP Statement No. 1	Direct Testimony of John A. Wilson
----------------------	------------------------------------

F. Strategic Energy/Retail Energy Supply Association Statements and Exhibits

Direct Testimony

Strategic/RESA Statement No. 1	(Highly Confidential) Direct Testimony of Richard J. Hudson, Jr. including Exhibit RH-1, RH-2 (Highly Confidential), and RH-3 through RH-10
--------------------------------	---

Surrebuttal Testimony

Strategic/RESA Statement No. 1SR	Surrebuttal Testimony of Richard J. Hudson, Jr. including Exhibit RH-11
----------------------------------	---

G. Citizen Power, Inc.

Direct Testimony

CP Statement No. 1

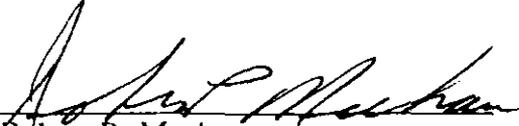
Direct Testimony of David Hughes including Exhibits DH-1 and DH-2

Surrebuttal Testimony

CP Statement No. 2

Surrebuttal Testimony of David Hughes including Exhibit DH-3

3. The record, at Docket Nos. A-110150F0035 and A-311233F0002, is closed.


Robert P. Meehan
Administrative Law Judge

Date: February 21, 2007

A-110150F0035; Application of Duquesne Light Company
A-311233F0002; Application of DQE Communications Network Services, LLC
SERVICE LIST

Michael W. Gang, Esq.
Andrew S. Tubbs, Esq.
Post & Schell, PC
17 North Second Street
12th Floor
Harrisburg, PA 17101-1601
Phone: 717-731-1970
FAX: 717-731-1985
mgang@postschell.com
atubbs@postschell.com

For: Applicants

David B. MacGregor, Esq.
Post & Schell, PC
Four Penn Center
1600 John F. Kennedy Blvd.
Philadelphia, PA 19103-2808
Phone: 215-587-1000
FAX: 215-320-4879
dmacgregor@postschell.com

For: Applicants

Gary A. Jack, Esq.
Duquesne Light Company
411 Seventh Avenue, Mail Drop 8-2
Pittsburgh, PA 15219
Phone: 412-393-1541
FAX: 412-393-1418
gjack@duqlight.com

For: Applicants

Charles Daniel Shields, Senior Prosecutor
Robert V. Eckenrod, Prosecutor
Office of Trial Staff
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265
Phone: 717-783-6151 (Mr. Shields)
Phone: 717-783-6155 (Mr. Eckenrod)
FAX: 717-772-2677
chshields@state.pa.us
roeckenrod@state.pa.us
For: Office of Trial Staff

Tanya J. McCloskey, Senior Assistant Consumer Advocate
Jennedy E. Santolla, Assistant Consumer Advocate
Darryl Lawrence, Assistant Consumer Advocate
Office of Consumer Advocate
5th Floor, Forum Place
555 Walnut Street
Harrisburg, PA 17101-1923
Phone: 717-783-5048
FAX: 717-783-7152
TMcCloskey@paoca.org
JSantolla@paoca.org
DLawrence@paoca.org
For: Office of Consumer Advocate

Daniel G. Asmus
Assistant Small Business Advocate
Office of Small Business Advocate
Suite 1102, Commerce Bldg.
300 North Second Street
Harrisburg, PA 17101
Phone: 717-783-2525
FAX: 717-783-2831
dasmus@state.pa.us
For: Office of Small Business Advocate

Todd S. Stewart, Esq.
Hawke, McKeon, Sniscak & Kennard, LLP
P.O. Box 1778
Harrisburg, PA 17105-1778
Phone: 717-236-1300
FAX: 717-236-4841
tsstewart@hmsk-law.com
For: Dominion Retail, Inc.

Pamela C. Polacek, Esq.
Adam L. Benshoff, Esq.
McNees Wallace & Nurick, LLC
P.O. Box 1166
100 Pine Street
Harrisburg, PA 17108-1166
Phone: 717-232-8000
FAX: 717-237-5300
ppolacek@mnw.com
abenshoff@mnw.com
For: Duquesne Industrial Intervenors

Daniel Clearfield, Esq.
Kevin J. Moody, Esq.
Wolf, Block, Schorr and Solis-Cohen, LLP
213 Market Street, 9th Floor
P.O. Box 865
Harrisburg, PA 17108-0865
Phone: 717-237-7160
FAX: 717-237-7161
dclearfield@wolfblock.com
kmoody@wolfblock.com
For: Retail Energy Supply Association

Scott J. Rubin, Esq.
3 Lost Creek Drive
Selinsgrove, PA 17870
Phone: 570-743-2233
FAX: 570-743-8145
scott@publicutilityhome.com
*For: International Brotherhood of
Electrical Workers, Local 29*

Joseph L. Vullo, Esq.
Burke, Vullo, Reilly, Roberts
1460 Wyoming Avenue
Forty Fort, PA 18704
Phone: 570-288-6441
FAX: 570-288-4598
jlvullo@bvrrlaw.com
*For: Community Action Association
of Pennsylvania*

Erin Creahan, Esq.
Associate Counsel
Strategic Energy, LLC
Two Gateway Center, 9th Floor
Pittsburgh, PA 15222
Phone: 412-258-2036
FAX: 412-394-6681
ecreahan@strategicenergy.com

Theodore H. Jobes, Esq.
Fox Rothschild, LLP
2000 Market Street, 10th Floor
Philadelphia, PA 19103-3291
Phone: 215-299-2786
FAX: 215-299-2150
tjobes@foxrothschild.com
*For: Pennsylvania Large Energy
Users Coalition*

Steven S. Goldberg, Esq.
Fox Rothschild, LLP
Princeton Pike Corporate Center
997 Lenox Drive, Bldg. 3
Lawrenceville, NJ 08648-2311
Phone: 609-896-4586
FAX: 609-896-1469
sgoldberg@foxrothschild.com
*For: Pennsylvania Large Energy
Users Coalition*

Paul F. Forshay, Esq.
Sutherland, Asbill & Brennan, LLP
1275 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
Phone: 202-283-0708
FAX: 202-637-3593
paul.forshay@sablaw.com
*For: Pennsylvania Large Energy
Users Coalition*

John E. McCaffrey, Esq.
Harvey L. Reiter, Esq.
Jaime S. Dibble, Esq.
Stinson, Morrison, Hecker, LLP
1150 18th Street, N.W., Suite 800
Washington, D.C. 20036-3816
Phone: 202-785-9100
FAX: 1-888-811-8863
jmccaffrey@stinsonmoheck.com
For: Citizen Power, Inc.

Gary Jeffries, Esq.
Dominion Retail, Inc.
1201 Pitt Street
Pittsburgh, PA 15221
Phone: 412-473-4129
FAX: 412-473-4170
gary_jeffries@dom.com
For: Dominion Retail, Inc.