

COMMONWEALTH OF PENNSYLVANIA



ORIGINAL

OFFICE OF SMALL BUSINESS ADVOCATE
Suite 1102, Commerce Building
300 North Second Street
Harrisburg, Pennsylvania 17101

William R. Lloyd, Jr.
Small Business Advocate

July 12, 2005

(717) 783-2525
(717) 783-2831 (FAX)

HAND DELIVERED

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
P. O. Box 3265
Harrisburg, PA 17105-3265

KJR

**Re: Pennsylvania Public Utility Commission v.
Duquesne Light Company
Docket No. R-00050662 C0001**

Dear Secretary McNulty:

I am delivering for filing today the original plus three copies of the Complaint and Public Statement on behalf of the Office of Small Business Advocate in the above captioned matter.

Copies have been served today on all known parties in this proceeding. A Certificate of Service to that effect is enclosed.

Sincerely,

William R. Lloyd
Small Business Advocate

Enclosures

cc: Parties of Record

DOCUMENT
FOLDER

SECRETARY'S BUREAU

2005 JUL 12 PM 3:43

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COMMONWEALTH OF PENNSYLVANIA



ORIGINAL

OFFICE OF SMALL BUSINESS ADVOCATE
Suite 1102, Commerce Building
300 North Second Street
Harrisburg, Pennsylvania 17101

William R. Lloyd, Jr.
Small Business Advocate

July 12, 2005

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(717) 783-2831 (FAX)

ALL PARTIES OF RECORD AT DOCKET NO. R-00050662:

**Re: Pennsylvania Public Utility Commission v.
Duquesne Light Company
Docket No. R-00050662 C0001**

The Office of Small Business Advocate has retained the services of Brian Kalcic as its expert witness in this case. In order to provide our consultant all materials, including discovery, testimony, briefs, etc., in a timely fashion, we request that you add the name of Mr. Kalcic to your service lists so that he receives copies of documents when they are served in this case. Those items should be addressed to:

Mr. Brian Kalcic
Excel Consulting
Suite 720-T
225 S. Meramec Avenue
St. Louis, MO 63105
(314) 725-2511
(314) 725-2022 - Fax
bkalcic@mindspring.com

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JUL 15 2005

If you have any questions or concerns, please do not hesitate to contact me. Thank you in advance for your cooperation.

Sincerely,

William R. Lloyd
Small Business Advocate

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cc: Mr. Brian Kalcic

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5. This complaint is filed against the rates, terms, and other provisions of Supplement No. 28 to Tariff Electric - Pa. P.U.C. No. 23, which was filed on June 17, 2005, by Duquesne Light Company ("Duquesne" or "Company"). The proposed tariff, if approved by the Commission, will add Rider No. 7 - SECA Charge ("Rider 7") to Tariff No. 23. Rider 7 is designed to recover the Seams Elimination Charge Adjustment ("SECA Charge") billed to Duquesne by the PJM Interconnection, Inc. Rider 7 is calculated at \$0.001557 per kWh and will be billed to all customers purchasing transmission services from Duquesne. Rider 7 is estimated to collect \$11 million (plus any applicable gross receipts tax) in higher rates from Duquesne's customers, including Duquesne's small business customers.

6. Upon preliminary review of the materials filed by Duquesne in support of its proposed Supplement No. 28, Complainant believes, and therefore avers, that those materials may be insufficient to justify the rate increase requested, and that the Company's present and proposed rates, rules, and conditions of service may be unjust, unreasonable, unduly discriminatory, and otherwise contrary to law, particularly as they pertain to small business customers.

7. In the materials Duquesne filed in support of Supplement No. 28, the Company noted that the SECA Charge is the subject of litigation before the Federal Energy Regulatory Commission ("FERC"). As such, the Company stated that "[t]here is significant uncertainty with regard to the amount of SECA Charges" which Duquesne will ultimately have to pay. Duquesne has proposed to establish the SECA Charge under Section 1307 of the Public Utility Code, 66 Pa. C.S. § 1307. Under both the Company's proposal and the requirements of Section 1307, the SECA Charge would be reconcilable.

8. In the aforementioned supporting materials, Duquesne alleged that allowing the Company to begin collecting the SECA Charge may be necessary to enable electric generation suppliers (“EGSs”) to charge their customers in the Duquesne service territory for the SECA Charges imposed on those EGSs.

9. Complainant believes, and therefore avers, that the SECA Charge may not qualify for recovery under Section 1307. Complainant further believes, and therefore avers, that the SECA Charge may not qualify for recovery under Section 1308 of the Public Utility Code, 66 Pa. C.S. § 1308. Consequently, the Complainant believes, and therefore avers, that Supplement No. 28 can not be approved by the Commission without a thorough investigation, to include public hearings.

10. Unless Duquesne is permitted to collect the SECA Charge during the pendency of the Commission’s investigation of Supplement No. 28, Duquesne’s “price to compare”:

a. could inhibit customers from switching from Duquesne’s Provider of Last Resort (“POLR”) generation service to generation service provided by an EGS which is collecting the SECA Charge, and

b. could create an incentive for customers to return to Duquesne’s POLR generation service from the generation service provided by an EGS which is collecting the SECA Charge.

11. To avoid a possible distortion of the retail generation market, Complainant would not object to the Commission’s allowing Duquesne to begin collecting the SECA Charge proposed by Supplement No. 28 during the pendency of the Commission’s investigation, provided that, at the conclusion of that investigation, Duquesne would be required to refund to

customers any revenues collected under Rider 7 which are determined to have been unjust, unreasonable, unduly discriminatory, or otherwise contrary to law.

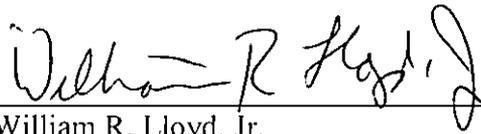
12. In the aforementioned supporting materials, Duquesne noted its intention to file a proposed general increase in base rates in the first half of 2006. Complainant believes, and therefore avers, that such a filing may include a proposal to replace or modify the SECA Charge in response to a decision by FERC in the pending SECA Charge litigation. Consequently, if Duquesne does file a general rate case in the first half of 2006, Complainant believes, and therefore avers, that it would be in the public interest to consolidate the investigation and hearings regarding Supplement No. 28 with the investigation and hearings regarding the proposed general increase in base rates.

13. In view of the foregoing, the Small Business Advocate respectfully requests that the Pennsylvania Public Utility Commission:

- a. Permit Supplement No. 28 to go into effect subject to investigation, including public hearings;
- b. At the conclusion of such investigation, reject Supplement No. 28 and order a refund of revenues collected under Rider 7 to Supplement No. 28 to the extent required to insure that Duquesne's rates are lawful, just, reasonable, and not unduly discriminatory to any class of customers;

- c. If, within the first half of 2006, Duquesne files a request for a general increase in base rates, consolidate the investigation and hearings regarding Supplement No. 28 with the investigation and hearings regarding the proposed general increase in base rates; and
- d. Grant such other relief as may be necessary or appropriate.

Respectfully submitted,



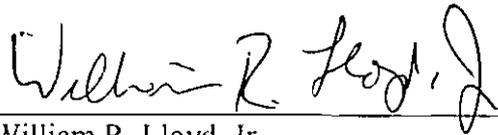
William R. Lloyd, Jr.
Small Business Advocate

Office of Small Business Advocate
Suite 1102, Commerce Building
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Harrisburg, PA 17101
(717) 783-2525
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Dated: July 12, 2005

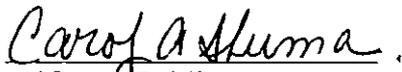
AFFIDAVIT

William R. Lloyd, Jr., being duly sworn according to law, says that the facts set forth above are true and correct to the best of his knowledge, information, and belief and he expects to be able to prove them at the hearings in this proceeding.

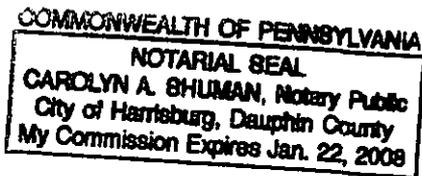


William R. Lloyd, Jr.

Sworn to and subscribed
before me this 12th day
of July, 2005.


Notary Public

My Commission Expires:



**PUBLIC STATEMENT OF
SMALL BUSINESS ADVOCATE
CONCERNING THE INTEREST
OF SMALL BUSINESS CONSUMERS
TO BE PROTECTED BY THE FILING OF A COMPLAINT
AGAINST PROPOSED SUPPLEMENT NO. 28 TO TARIFF NO. 23
OF DUQUESNE LIGHT COMPANY
DOCKET NO. R-00050662**

The Small Business Advocate is authorized and directed to represent the interest of small business consumers of utility services in Pennsylvania under the provisions of the Small Business Advocate Act, Act 181 of 1988, 73 P.S. §§ 399.41 - 399.50 ("Act"). The Act further provides that the Small Business Advocate is to issue publicly a written statement stating concisely the specific interest of small business consumers to be protected by his initiation of or intervention in any proceeding involving those interests before the Public Utility Commission or any other agency or court. This public statement relates to the filing today by the Small Business Advocate of a complaint against proposed Supplement No. 28 to Tariff No. 23 of Duquesne Light Company ("Duquesne" or "Company").

Duquesne's proposed tariff supplement would impose a Seams Elimination Charge Adjustment ("SECA Charge"). The SECA Charge is estimated to collect approximately \$11 million (plus any applicable gross receipts tax) from Duquesne's ratepayers, including small business customers.

The Small Business Advocate filed a formal complaint against Duquesne's proposed Supplement No. 28 in order to protect the interests of the Company's small business customers. A preliminary review of the material filed by Duquesne in support of its proposed Supplement No. 28 indicates that the proposed SECA Charge may be unjust, unreasonable, unduly discriminatory, and otherwise contrary to law. A thorough inquiry by the Public Utility

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Commission into all of the elements of Duquesne's proposed Supplement No. 28 is necessary to ensure that the SECA Charge is lawful, just, reasonable, and not unduly discriminatory.

In view of the foregoing, the Small Business Advocate will participate in proceedings before the Public Utility Commission to investigate the proposed SECA Charge in Duquesne's proposed Supplement No. 28. The Small Business Advocate will ask the Commission to deny all, or any portion of, the SECA Charge not proven by Duquesne to be lawful, just, reasonable, and non-discriminatory to all of its customer classes.

Dated: July 12, 2005

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PENNSYLVANIA PUBLIC UTILITY :
COMMISSION

v.

DUQUESNE LIGHT COMPANY

DOCKET NO. R-00050662

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CERTIFICATE OF SERVICE

I certify that I am serving two copies of the Complaint and Public Statement on behalf of the Office of Small Business Advocate, by e-mail and first class mail upon the persons addressed below:

Hon. Veronica Smith
Chief Administrative Law Judge
Pennsylvania Public Utility Commission
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spopowskv@paoca.org

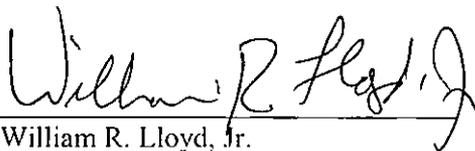
David M. Kleppinger, Esquire
McNees Wallace & Nurick LLC
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cwalkerdav@state.pa.us



William R. Lloyd, Jr.
Small Business Advocate

Date: July 12, 2004

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

July 15, 2005

NANCY J.D. KRAJOVIC, MANAGER
RATES & REGULATORY AFFAIRS UNIT
411 SEVENTH AVENUE, 8-6
PITTSBURGH PA 15219

RE: PA PUC vs. Duquesne Light Company
R-00050662C0001

KJR

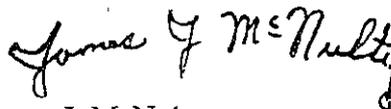
Dear Sir/Madam:

A Complaint has been filed against you in the above-captioned matter before the Pennsylvania Public Utility Commission by Office of Small Business Advocate.

This complaint, of which the attached is a true and correct copy, has been presented and filed of record with the Pennsylvania Public Utility Commission. The Pennsylvania Public Utility Code, 66 Pa. C.S., requires the Commission to serve on each party named in a complaint a copy of the complaint.

Within twenty (20) days from the date on which this complaint is served, you may either satisfy this complaint or comply with the provisions of 52 Pa. Code, Section 5.61 et seq., as amended.

Very truly yours,



James J. McNulty
Secretary

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/ JUL 15 2005

213 Market Street, 9th Floor, P.O. Box 865, Harrisburg, PA 17108-0865
Tel: (717) 237-7160 ■ Fax: (717) 237-7161 ■ www.WolfBlock.com

Kevin J. Moody
Direct Dial: (717) 237-7187
Direct Fax: (717) 237-2767
E-mail: kmoody@wolfblock.com

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SECRETARY'S BUREAU

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July 28, 2005

VIA HAND DELIVERY

James McNulty, Secretary
PA Public Utility Commission
Commonwealth Keystone Bldg., 2nd Fl.
400 North Street
Harrisburg, PA 17105-3265

Re: Pennsylvania Public Utility Commission v. Duquesne
Light Co., Docket No. R-00050662 and
Strategic Energy, L.L.C. v. Duquesne Light Co.,
Docket No. R-00050662-~~0003~~

COO2

Dear Secretary McNulty:

Enclosed for filing are the original and three copies of the Formal Complaint of Strategic Energy, L.L.C. to Duquesne Light Company's Proposed Rider No 7-SECA Charge, in the above-referenced matter. Interested parties have been served in the manner indicated the attached Certificate of Service.

If you have any questions regarding this filing, please contact me at your convenience.

Sincerely,



Kevin J. Moody

For WOLF, BLOCK, SCHORR and SOLIS-COHEN LLP

KJM/jls
Enclosures

cc: Certificate of Service (w/enc)

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HAR:60324.1/STR163-210988

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CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the Complaint upon the participants, listed below, in accordance with the requirements of § 1.54 (relating to service by a participant).

VIA FIRST CLASS MAIL

David B. MacGregor, Esquire
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Philadelphia, PA 17103
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Morgan, Lewis & Bockius LLP
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Johnnie E. Simms, Esquire
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Assistant General Counsel
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rherskovitz@duqlight.com

Pamela Polacek, Esquire
McNees Wallace & Nurick
100 Pine Street
Harrisburg, PA 17101
ppolacek@mwn.com

Date: July 28, 2005



Kevin J. Moody, Esq.

SECRETARY'S BUREAU
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BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

ORIGINAL

Pennsylvania Public Utility Commission :

v. :

Docket No. R-00050662

Duquesne Light Company :

Strategic Energy, L.L.C. :

v. :

Docket No. R-00050662C000 ~~1~~ 2

Duquesne Light Company :

**FORMAL COMPLAINT OF STRATEGIC ENERGY L.L.C. TO
DUQUESNE LIGHT COMPANY'S PROPOSED RIDER NO. 7-SECA CHARGE**

I. INTRODUCTION

Pursuant to 66 Pa. C.S. § 701 and 52 Pa. Code §§ 5.22 and 5.61, Strategic Energy L.L.C., ("Strategic") submits this Formal Complaint against Duquesne Light Company's ("Duquesne Light" or "Duquesne") proposal to collect the Seams Elimination Charge Adjustment charges ("SECA Charge") billed to Duquesne by PJM Interconnection ("PJM"). The Federal Energy Regulatory Commission ("FERC") implemented the SECA effective December 1, 2004 to compensate transmission owners during a 16-month transition period from December 1, 2004¹ through March 31, 2006 for the revenue they would no longer receive due to the elimination of Regional Through and Out Rates. In view of the substantial differences in the level of the SECA charges that have been and may ultimately be imposed on Load Serving Entities ("LSEs") in the Duquesne Zone, Duquesne's proposal should be modified so that Duquesne collects the full amount of FERC-accepted SECA charges for the Duquesne Zone through a nonbypassable

¹ In the case of the Duquesne service area, the SECA is implemented effective January 1, 2005, the date of Duquesne's integration into PJM, for fifteen (15) months.

charge to all Duquesne distribution service customers.² Only if the SECA Charges attributed to the Duquesne Zone are collected in this competitively neutral manner will Duquesne's recovery proposal satisfy the legal requirements of the Public Utility Code and advance the well-established legislative policy of promoting and facilitating retail electric competition. Failure to take these steps will threaten the continued viability of the Duquesne competitive market, the only reasonably competitive retail energy market presently existing in the Commonwealth.

In support of its complaint, Strategic avers as follows:

II. THE PARTIES

1. Strategic Energy is a licensed electric generation supplier ("EGS") which has provided electric supply and other services to residential, governmental, commercial and industrial customers in Duquesne's service territory from the inception of retail choice continuously to the present. Strategic was a trailblazer of retail access in the Duquesne Light service territory. Strategic participated in the first pilot programs for retail choice in Duquesne Light. Beyond the Duquesne Light service area, Strategic Energy serves customers throughout the MISO and PJM footprints and in other deregulated states including California, Texas, New York and Massachusetts. Strategic Energy employs over 200 energy professionals, the majority of whom work at Strategic's main office in Pittsburgh, Pennsylvania. Strategic's Pittsburgh office is the home of its energy management center and the majority of its operations are run centrally out of the Pittsburgh office.

2. Strategic representatives in this matter and for service of documents are:

Daniel Clearfield, Esq.
Kevin J. Moody, Esq.
Wolf, Block, Schorr and Solis-Cohen LLP

² The logistics of collection, payment and adjustment of the non-bypassable charge can be addressed in a technical conference involving the relevant market participants.

213 Market Street, 9th Floor
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dclearfield@wolfblock.com

Julie Coletti, Esq.
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Strategic Energy, L.L.C.
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3. Duquesne is a public utility electric distribution company ("EDC") which provides facilities for the transmission and distribution of electricity for EGSs to serve their customers and which provides Provider of Last Resort ("POLR") electric generation service to a variety of customers pursuant to tariffs approved by the Pennsylvania Public Utility Commission ("PUC" or "Commission") in Duquesne's POLR I, POLR II and POLR III proceedings.

III. BACKGROUND

4. On June 17, 2005, Duquesne filed Supplement No. 28 to its Electric Tariff, to become effective in sixty (60) days or on August 16, 2005. Supplement 28 proposes to add "Rider 7 – SECA Charge" to Duquesne's tariff to authorize Duquesne to recover, subject to reconciliation, the SECA Charges billed to Duquesne by PJM. Duquesne proposes to collect from its POLR customers some \$11 million representing a portion of the SECA charges attributed to the Duquesne Zone by PJM under its Open Access Transmission Tariff ("OATT").

For the 16-month period³ beginning August 16, 2005 through November 2006, Duquesne is proposing to charge each POLR customer at a rate of \$0.001557/kWh to collect the Duquesne POLR customers' proposed \$11 million liability for the SECA Charge, which is based upon a sub-zone allocation methodology contained in compliance filings made by Duquesne and accepted by FERC.⁴ The FERC order and PJM's OATT tariff methodology allocating the total SECAs for the Duquesne Zone among LSEs determines the SECA amounts LSEs must pay to PJM. Strategic does not challenge or seek to change that allocation methodology in this proceeding because that is a matter under FERC's jurisdiction. However, neither the FERC order nor PJM's tariff address how, or whether, Duquesne or other LSEs recover the sub-zonal SECA payments from retail customers. The manner in which Duquesne recovers SECA liabilities from its retail customers, which is what this complaint addresses, is clearly within this Commission's jurisdiction.

³ As noted in paragraph 1 and footnote 1, while the FERC-mandated SECA transition period is 16 months from December 2004 through March 2006, Duquesne joined PJM in January of 2005 so the SECAs for the Duquesne Zone cover a 15-month period. PJM's OATT, First Revised Sheet 545J, item No. 7, states that "[t]he charges under this Attachment X shall terminate on March 31, 2006; provided, however, that if the SECAs to recover PJM transmission owners' lost revenues do not become effective on December 1, 2004, SECAs shall continue for 16 months from the date the charges become effective." Because the SECAs became effect on December 1, 2004, as Duquesne admits (Duquesne Statement in Support of Supplement No. 28 ("Statement") at 3), PJM's OATT clearly states that all SECAs will terminate as of March 31, 2006. If Duquesne were to collect \$11 million in SECA liabilities over 15 months and not 16, Strategic believes that Duquesne's rate calculation would change. Duquesne proposes approximately a \$1.557/MWh SECA Charge to POLR customers based on a 16-month collection period. However, since the SECA will only be effective for Duquesne for 15 months (January 2005 – March 2006), the proposed SECA Charge would need to be revised.

⁴ *Midwest Independent Transmission System Operator, Inc.*, 111 FERC ¶ 61,409, p. 38 (June 16, 2005).

5. Duquesne's filing asserts that SECAs for the Duquesne Zone total approximately \$39 million.⁵ In this Complaint, Strategic alleges that the total Duquesne Zone SECAs should be allocated among all distribution service customers in the Duquesne Zone on a per kWh basis through a non-by passable charge.

IV. UNLAWFULNESS AND UNREASONABLENESS OF DUQUESNE'S PROPOSAL

6. Although Duquesne asserts that it is proposing to collect its FERC-accepted SECA Charges, Duquesne's filing would do much more than that. By basing retail recovery of Duquesne Zone SECAs on the sub-zones created by Duquesne, the effect of Duquesne's proposal creates serious problems of retail rate discrimination and competitive unfairness for retail shopping customers.⁶ The other utility territories in Classic PJM⁷ have not established sub-zones and have allocated SECAs among LSEs at a fixed rate per MW-month. There are two (2) rates for which PJM calculates SECA charges for all LSEs in Classic PJM utility zones. Rate 1 is for lost revenues to MISO transmission owners and Rate 2 is for intra-PJM transmission owners' lost revenues. For example, for the period May 1, 2005 through March 31, 2006, Rate 1 is \$29.14/ MW-month and Rate 2 is \$94.99/ MW-month. Adding both rates totals \$124.13. MW-month.

7. In stark contrast, the widely varying charges per LSE produced by Duquesne's sub-zonal SECAs are discriminatory and anti-competitive as a basis for determining recovery

⁵ Duquesne Statement at 4. As Duquesne discloses, the SECA charges are based upon transmission system use and revenues during the test years 2002 and 2003, and thus the charges reflect the sales made by LSEs in that period – not during the SECA transition period. *Midwest Independent Transmission System Operator, Inc.*, 105 FERC ¶ 61,212, p. 66 (Nov. 17, 2003).

⁶ Establishment of sub-zones was not mandated by the FERC nor required by PJM or MISO. *Id.*, p. 85.

⁷ Classic PJM includes utilities as defined by PJM: PECO, PPL, MetEd, Penelec, APS, BGE, DPL, AECO, PSEG, JCPL, PSEG and PEPCO.

from retail customers of the total Duquesne Zone SECAs. While Strategic is not challenging the FERC determinations here, the impact of Duquesne's proposed Pennsylvania tariff revision on retail customers and on retail service providers competing in Duquesne's service territory is significant.

a. For example, Strategic's SECA allocation shows the discriminatory impact of the sub-zonal charges as a basis for retail recovery:

- In January 2005, Strategic served approximately 13.75% of the Duquesne zonal load and has been allocated nearly 30% of all Duquesne sub-zonal SECAs.
- In February 2005, Strategic served approximately 14.5% of the Duquesne zonal load and has been allocated nearly 29% of the Duquesne sub-zonal SECAs.

b. Duquesne's POLR SECA obligation is significantly lower in dollars even though Duquesne's POLR load share is significantly higher:

- In January of 2005, Duquesne served approximately 60% of the Duquesne zonal load as POLR provider and has been allocated only about 38% of the Duquesne sub-zonal SECAs.
- In February of 2005, Duquesne served approximately 55.10% of the Duquesne zonal load as POLR and has been allocated only 35% of the Duquesne sub-zonal SECAs.

8. Strategic's share of the total Duquesne Zone SECAs could be as high as \$5.00/MWh, or .05 cents/kWh. This is more than triple the proposed Duquesne "POLR customer" charge of \$1.557/MWh, or .015 cents/kWh. Strategic believes, and therefore avers, that other EGSs such as Strategic, Dominion Retail and FirstEnergy Solutions are being subject to substantial, disproportionate, discriminatory and anticompetitive SECA liabilities from January of 2005 through March of 2006 because, like Strategic, they were trailblazers for retail access in Duquesne's service territory.⁸ On the contrary, a newly formed EGS that

hypothetically began operating in Duquesne's Zone in January of 2005 and has the same amount

⁸ Strategic is addressing these discrimination and anticompetitive issues at FERC.

of load as Strategic and continues to operate consistently through March of 2006 would have substantially less SECA liability. Not only are EGSs such as Strategic, Dominion Retail and FirstEnergy Solutions required to pay a disproportionately higher charge than Duquesne itself, these trailblazer LSEs would be competitively harmed in the retail markets if Duquesne's request to flow-through directly these substantial, disproportionate and discriminatory charges to retail customers is accepted.

9. The disparity in the levels of the SECA charges imposed on LSEs serving load in the Duquesne Zone in 2002-2003 is so substantial that it raises serious questions about the fairness and legality of Duquesne's proposed retail SECA Charge. Without a doubt, the proposal threatens the continued viability of the competitive retail market in the Duquesne Zone. While the determination of wholesale rate responsibility is clearly a matter within FERC's jurisdiction, the manner in which these charges are collected from retail customers is just as plainly a matter squarely within the jurisdiction of this Commission.

A. Violation of Section 1304 of the Code

10. As proposed, Duquesne's SECA Charge recovery is unreasonably discriminatory in violation of Section 1304 of the Public Utility Code ("Code"), 66 Pa. C.S. § 1304, which prohibits any rate that grants an unreasonable preference or imposes any unreasonable prejudice or disadvantage on customers. Duquesne's tariff revisions would force EGSs or their customers to pay a disproportionately high share of the SECAs attributed to the Duquesne Zone. If Duquesne passes through to customers only the portion of the SECAs assigned to Duquesne's POLR load under Duquesne's sub-zonal methodology, customers of EGSs will be faced with a SECA rate increase that is several times greater than that which will be imposed on Duquesne's non-shopping customers. There is no justification for such discrimination.

11. Making matters worse, the discrimination caused by the SECA charge is unreasonable and irrational. The FERC-accepted SECA liabilities are based upon the use of transmission facilities by LSEs in 2002 and 2003 to compensate transmission owners for the elimination of Regional Through and Out Rates currently (January 1, 2005 – March 1, 2006). No current shopping customer knew or could have known that its shopping decision would make it responsible for dramatically higher SECA charges. Certainly, without such knowledge, it is impossible to conclude that the higher SECA charges to current shopping customers and lower SECA charges to others would fairly allocate costs.

12. For example, a customer that took service from the POLR provider or a trailblazer EGS and then subsequently switches to a brand new EGS could avoid a higher SECA allocation. There is no rationale for permitting the customer to avoid the greater charges. Likewise, if that customer stayed with the Duquesne, that customer would have a \$1.557/MWh SECA obligation. If that same customer stayed with a trailblazer EGS, such as Strategic, it could have nearly a \$5.00/MWh SECA obligation. Accordingly, the retail SECA Charge, as presently proposed, is unreasonably discriminatory.

B. Violation of Section 2804(6) of the Code

13. Duquesne's proposal violates Section 2804(6) of the Electric Choice Act, 66 Pa. C.S. § 2804(6). The unequal retail SECA charges for LSEs which result from Duquesne's proposal violate the requirement in Section 2804(6) of the Electric Choice Act that EDCs shall provide transmission and distribution system service "to all retail customers . . . and electric generation suppliers . . . on **rates, terms of access** and conditions that are comparable to the utility's own use of its system."⁹ The Duquesne SECA Charge proposal plainly results in

⁹ 66 Pa. C.S. § 2804(6).

unequal rates and/or terms of access for EGSs and all current retail customers. Duquesne is obtaining access to its transmission and distribution system at a rate some two and one half times lower than that imposed upon other LSEs. This is just the type of disparate treatment that is barred by Section 2804(6).

C. Violation of Purpose of Electric Choice Act

14. The primary purpose of the Electric Choice Act is to develop direct access to a workable competitive retail electricity market.¹⁰ As proposed, Duquesne's tariff filing is anticompetitive. The SECA Charge as proposed by Duquesne seriously threatens the continued success of the competitive market in the Duquesne Zone. As noted above, because of the manner in which Duquesne allocated the total Duquesne Zone SECAs, Duquesne POLR customers would see an increase of just \$1.557/MWh, or .015 cents/kWh, while customers of *Strategic and other trailblazer EGSs* face a much higher retail SECA – as high as \$5.00/MWh or .05 cents/kWh. The inevitable result of such discrimination is that customers will flee to new suppliers who are being given a competitive advantage or switch back to Duquesne's POLR

¹⁰ 66 Pa. C.S. § 2802(12) ("The purpose of this chapter is to modify existing legislation and regulations and to establish standards and procedures in order to create direct access by retail customers to the competitive market for the generation of electricity . . ."); § 2802(3) ("[I]t is now in the public interest to permit retail customers to obtain direct access to a competitive generation market . . ."); § 2802(5) ("Competitive market forces are more effective than economic regulation in controlling the cost of generating electricity."); § 2802(7) ("The Commonwealth must begin the transition from regulation to greater competition in the electricity generation market to benefit all classes of customers and to protect this Commonwealth's ability to compete in the national and international marketplace for industry and jobs."); *see also*, § 2811(a) (PUC "shall monitor the market for the supply and distribution of electricity to retail customers . . ."); § 2811(d) (PUC shall take action if it has reason to believe that anticompetitive or discriminatory conduct "is preventing the retail electricity customers in this Commonwealth from obtaining the benefits of a properly functioning and workable competitive retail electricity market.").

service at the first opportunity to avoid the higher charge,¹¹ threatening the continued success of the only viable competitive retail market in the Commonwealth.

15. Collecting the charge from retail customers in the manner proposed by Duquesne will also harm retail competition by creating the perception that engaging in retail choice will have negative consequences for customers. Customers may well perceive the much higher EGS SECA charges as a "penalty" for taking advantage of competitive options. Once burned by such disproportionate cost responsibility, the customer may not only switch to Duquesne's POLR service to attempt to avoid the charge but will also be extremely hesitant to rely on a competitive supplier in the future.

16. Retail competition would also be harmed by upsetting customer expectations. Retail customers that have switched to an EGS expecting a stated product and service will suffer adverse consequences to the extent they must bear a disproportionately high allocation of SECA liabilities, merely because they contracted with trailblazing and well-established EGSs.

V. MODIFICATION TO MAKE DUQUESNE'S PROPOSAL LAWFUL AND REASONABLE

A. Duquesne Should Institute A Nonbypassable Surcharge To Collect 100% Of The SECAs For Its Control Area.

17. Strategic supports Duquesne's proposal to revise its retail tariff to reflect the recovery of PJM SECA liabilities only if revised to reflect recovery of all SECAs in the Duquesne Zone in the manner proposed herein.

18. Strategic asserts that the PUC has not only the authority but also the obligation to attempt to remedy the serious problems described above with Duquesne's proposal. In establishing retail rates, the PUC is bound to follow the requirements of the Pennsylvania Public

¹¹ OSBA makes this very point in paragraphs 10 and 11 of its complaint.

Utility Code regardless of whether the FERC has accepted Duquesne's SECA compliance filings. Only this Commission has jurisdiction to determine the reasonableness of retail rates and whether retail charges are consistent with all requirements of the Public Utility Code. Accordingly, the PUC may not approve Duquesne's or any other proposal to pass through wholesale energy charges unless the proposal complies with state law requirements.

19. Strategic believes, and therefore avers, that the fairest and most legally appropriate means of avoiding the significant state law problems created by Duquesne's proposed SECA Charge is to revise it to collect and issue adjustments for the entire FERC-accepted SECA liability associated with transmission use in the Duquesne Zone – the full \$39 million.¹² The advantages of this approach are obvious:

- The charge will be equally assessed to all distribution service customers, eliminating the likelihood that customers would be forced to pay more or less than they would have if the charge had existed in 2002 and 2003 and had been included in the price they were charged for power at that time.
- A nonbypassable charge will avoid the serious anti-competitive effects of flowing through the PJM/Duquesne/FERC allocations.

20. This revision would be fairly easy to accomplish. Working with PJM, Duquesne could determine the total amount that was billed to LSEs in Duquesne's Zone. Duquesne would then revise the SECA Charge in its retail tariff so that it is designed to collect this total amount.

¹² Duquesne's filing represents that Duquesne's SECA charges are to be paid by Duquesne as an LSE with regard to only its POLR service customers. Duquesne Statement at 2. However, Rider No.7 implies that the SECA adjustment is a nonbypassable charge to *all* customers who purchase their *electric transmission* from Duquesne: "The SECA charge . . . shall apply to all customers who purchase their electric transmission requirements from the Company." Because all customers, even those on competitive supply, purchase their transmission from Duquesne, as the transmission owner, Duquesne should pass through the entire Duquesne Zone SECAs at a socialized rate to all distribution service customers. In the event the Commission elects not to authorize this approach, Duquesne's Rider No. 7 should be amended to make clear that Duquesne may pass the SECA Charge through Rider No. 7 only to Duquesne POLR customers.

Duquesne would then either remit the amount collected to PJM (to be passed on to the transmission owners who are entitled to the payments) or to the individual LSEs upon verification from PJM that they had already remitted their SECA liabilities as billed by PJM.

VII. CONCLUSION

WHEREFORE, Strategic Energy respectfully requests that:

- 1) The Commission suspend Duquesne's request for approval of proposed "Rider 7 – SECA Charge" for investigation or, in the alternative, permit Duquesne to implement a SECA Charge to become effective at the level necessary to collect the full amount of SECA liabilities billed to all LSEs in Duquesne's Zone pending the Commission's investigation;
- 2) Assign Duquesne's filing to the Office of Administrative Law Judge for hearings so that all of the issues can be fully examined in an on-the-record proceeding as required by Sections 701, 703 and 2811(a) of the Public Utility Code; and
- 3) Prohibit implementation of Duquesne's SECA Charge as proposed unless it is restructured to eliminate the violations of the Public Utility Code and the anticompetitive policies reflected in the proposal.

Respectfully submitted,



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

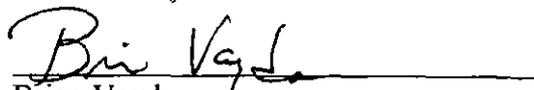
Julie Coletti, Esq.
Assistant General Counsel
Strategic Energy, L.L.C.
Two Gateway Center
Pittsburgh, PA 15222
(412) 394-4356
jcoletti@sel.com

Dated: July 28, 2005

JUL 26 2005

VERIFICATION

I, Brian Vayda, hereby verify that I am the Manager of Regulatory Affairs for Strategic Energy L.L.C., that I am authorized to make this verification on behalf of Strategic, that the facts set forth above are true and correct to the best of my knowledge, information and belief, and that Strategic expects to be able to prove the same at a hearing held in this matter. This verification is made subject to the penalties relating to unsworn falsification to authorities as prescribed by 18 Pa. C.S. § 4904.



Brian Vayda
Manger, Regulatory Affairs
Strategic Energy L.L.C.

Dated: 7/25/2005

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

August 11, 2005

NANCY J. D. KRAJOVIC, MANAGER
RATES & REGULATORY AFFAIRS UNIT
411 SEVENTH AVENUE, 8-6
PITTSBURGH PA 15219

RE: PA PUC vs. Duquesne Light Company

~~R-00050662E0003~~

R-00050662 0002

Dear Sir/Madam:

A Complaint has been filed against you in the above-captioned matter before the Pennsylvania Public Utility Commission by Strategic Energy, L.L.C.

This complaint, of which the attached is a true and correct copy, has been presented and filed of record with the Pennsylvania Public Utility Commission. The Pennsylvania Public Utility Code, 66 Pa. C.S., requires the Commission to serve on each party named in a complaint a copy of the complaint.

Within twenty (20) days from the date on which this complaint is served, you may either satisfy this complaint or comply with the provisions of 52 Pa. Code, Section 5.61 et seq., as amended.

DOCKETED
AUG 15 2005

Very truly yours,

James J. McNulty

James J. McNulty
Secretary

(SEAL)

Certified Mail
Return Receipt Requested

**DOCUMENT
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jih

DOCKETED
AUG 15 2005



OFFICE OF CONSUMER ADVOCATE

555 Walnut Street, 5th Floor, Forum Place
Harrisburg, Pennsylvania 17101-1923
(717) 783-5048
800-684-6560 (in PA only)

IRWINA. POPOWSKY
Consumer Advocate

FAX (717) 783-7152
consumer@paoca.org

July 28, 2005

James J. McNulty
Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
P.O. Box 3265
Harrisburg, PA 17105-3265

ORIGINAL

SECRETARY'S BUREAU

JUL 28 PM 3:44

RECEIVED

RE: Duquesne Light Company
Supplement No. 23 to Tariff Electric -
Pa. P.U.C. No. 23
Docket No. R-00050662

~~0000~~
0003

Dear Secretary McNulty:

Enclosed for filing are an original and three (3) copies of the Formal Complaint and Public Statement of the Office of Consumer Advocate, in the above-referenced proceeding.

Copies have been served on the parties of record as indicated on the enclosed Certificate of Service.

Sincerely,

David T. Evrard
Assistant Consumer Advocate

Enclosures
cc: Office of Special Assistants
Parties of Record
85268.doc

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SECRETARY'S BUREAU

Pennsylvania Public Utility Commission

Formal Complaint Form

Please Print.

R-00050662C000

1. Your name, mailing address, telephone number and utility account number:

Name Irwin A. Popowsky, Consumer Advocate

Street/P.O.Box 555 Walnut Street 5th Floor Forum Place Apt # _____

City Harrisburg State Pennsylvania Zip 17101-1923

County Dauphin

Area Code/Home Phone _____ Area Code/Work Phone (717)783-5048

Utility Account Number _____

If the above mailing address differs from the address where the utility service is provided, list this information below.

Name _____

Street/P.O. Box _____

City _____ State _____ Zip _____

County _____

2. Name of utility company your complaint concerns: Duquesne Light Company

3. Type of Utility (circle one):

GAS WATER MOTOR CARRIER

STEAM HEAT ELECTRIC SEWER

TELEPHONE – (LOCAL OR LONG DISTANCE)

DOCKETED
AUG 15 2005

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4. What is your complaint? (Use additional paper if you need more space and provide copies of any relevant documentation you believe will support your complaint).
- A. On June 17, 2005, Duquesne filed with the Public Utility Commission Supplement No. 28 to its Tariff Electric – Pa. P.U.C. No. 23 proposing the imposition of a surcharge (“SECA Surcharge”) designed to recover from its Provider of Last Resort (“POLR”) customers Duquesne’s share of the Seams Elimination Charge Adjustments/Assignment costs that have been authorized by the Federal Energy Regulatory Commission (“FERC”) and imposed by PJM Interconnection, LLC under its Open Access Transmission Tariff. Duquesne’s SECA Surcharge is to become effective August 16, 2005 and is to continue in effect for a period of sixteen months, subject to extension or shortening depending on the exact amount of Seams Elimination Charge Adjustments/Assignment costs for which Duquesne is ultimately liable. Duquesne proposes the sixteen month period to match the length of time FERC has authorized for collection of the Seams Elimination Charge Adjustments/Assignment costs.
- B. Duquesne estimates its liability for Seams Elimination Charge Adjustments/Assignment costs at approximately \$11 million. To recoup this amount from POLR customers, Duquesne proposes to set its Surcharge at 0.1557¢ per kilowatt-hour (kwh). The effect of this Surcharge on the monthly bill of an average residential customer consuming 587 kwh (the average residential monthly consumption in 2004), is estimated to be an increase of 91¢ per month. Duquesne proposes that its Surcharge will be reconcilable, such that the amount it pays in Seams Elimination Charge

Adjustments/Assignment costs will match, dollar-for-dollar, the amount it collects from POLR customers under the Surcharge.

- C. Duquesne proposes to institute the SECA Surcharge pursuant to Section 1307(a) of the Public Utility Code, 66 Pa.C.S. § 1307(a), which requires that any method for the automatic adjustment of rates established thereunder must produce a just and reasonable return on the rate base of the public utility proposing the adjustment.
- D. The Consumer Advocate is empowered to represent the interests of Pennsylvania consumers before the Public Utility Commission pursuant to Act 1976-161 of the General Assembly, as amended, 71 P.S. § 309-1, *et seq.*
- E. After a preliminary review of Duquesne's Statement in Support of its Tariff Supplement and its Quarterly Earnings Reports from December 2004 and March 2005, the Consumer Advocate avers that Duquesne's proposed SECA Surcharge may not be just and reasonable in accordance with Sections 1301 and 1307 of the Public Utility Code, 66 Pa.C.S. §§ 1301, 1307.
- F. The Consumer Advocate submits that imposition of the SECA Surcharge may constitute improper single issue ratemaking and should not be approved without undertaking a thorough examination to determine if the resulting rates are just and reasonable.
- G. The Consumer Advocate also submits that the Seams Elimination Charge Adjustments/Assignment costs may not be sufficiently known and measurable to justify recovery at this time. The costs Duquesne now pays,

and seeks to recoup from its POLR customers, are the subject of extensive litigation at FERC. The outcome of this litigation could substantially reduce or even eliminate the charges to which Duquesne is subject. Thus while Duquesne's current liability may be known and measurable, its ultimate liability for Seams Elimination Charges is highly uncertain.

H. The Consumer Advocate also avers that the SECA Surcharge proposal is not sufficiently detailed to determine whether customers would be adequately protected and would receive all appropriate refunds if resolution of the FERC litigation, or any appeals therefrom, occurs after the sixteen month operation of the Surcharge has concluded, and if the result of the litigation is a reduction in the amount of the Seams Elimination Charge Adjustments/Assignment costs to Duquesne and other similarly situated parties.

5. What do you want the Public Utility Commission to do about your complaint?
(Use additional paper if you need more space).
- A. Suspend operation of the proposed Tariff Supplement pending adjudication of this Complaint.
 - B. Institute an investigation into the justness and reasonableness of Duquesne's proposed SECA Surcharge.
 - C. Deny the request for approval of the proposed SECA Surcharge.
 - D. Grant such other relief as the Commission may deem necessary and proper.

PUBLIC STATEMENT OF THE
OFFICE OF CONSUMER ADVOCATE
PURSUANT TO 71 P.S. SECTION 309-4(e)

Act 161 of the Pennsylvania General Assembly, 71 P.S. § 309-2, as enacted July 9, 1976, authorizes the Consumer Advocate to represent the interests of consumers before the Pennsylvania Public Utility Commission ("PUC" or "Commission"). In accordance with Act 161, and for the following reasons, the Consumer Advocate determined to file a Formal Complaint and participate in proceedings before the Commission involving the proposed rate surcharge requested by Duquesne Light Company ("Duquesne").

Specifically, on June 17, 2005, Duquesne filed a tariff supplement with the Commission proposing the imposition of a surcharge ("SECA Surcharge") designed to recover from its Provider of Last Resort ("POLR") customers, Duquesne's share of Seams Elimination Charge Adjustment/Assignment costs that have been authorized by the Federal Energy Regulatory Commission and imposed by PJM Interconnection, LLC under its Open Access Transmission Tariff. The SECA Surcharge is to become effective August 16, 2005 and continue in effect for approximately sixteen months. Duquesne estimates its liability for Seams Elimination Adjustment/Assignment Costs at approximately \$11 million. To recoup this amount from its POLR customers Duquesne proposes to set its Surcharge at 0.1557¢ per kilowatt hour. This would increase the monthly bill of the average residential customer (using 587 kwh) by an estimated 91¢ per month

The Consumer Advocate is concerned that imposition of the Surcharge may constitute improper single-issue ratemaking and result in unjust and unreasonable rates. The Consumer Advocate is also concerned that because of extensive federal litigation over the Seams Elimination Adjustment/Assignment costs, the amount of those costs for which Duquesne will

ultimately be liable is highly uncertain and could in fact be significantly reduced. In addition, the Consumer Advocate is concerned whether customer interests would be adequately protected if resolution of the federal litigation resulted in a refund due to customers at a point after the sixteen month operation of the surcharge has concluded.

For all of these reasons, the Consumer Advocate has determined to file this Formal Complaint.

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CERTIFICATE OF SERVICE

Re: Duquesne Light Company
Supplement No. 28 to tariff Electric - Pa. P.U.C. No. 23
Docket No. R-00050662

I hereby certify that I have this day served a true copy of the foregoing document, Formal Complaint and Public Statement of the Office of Consumer Advocate, upon parties of record in this proceeding in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant), in the manner and upon the persons listed below:

Dated this 28th day of July 2005.

SERVICE BY INTEROFFICE MAIL

Robert Rosenthal, Director
Bureau of Fixed Utility Services
Pennsylvania Public Utility Commission
400 North Street, P.O. Box 3265
Harrisburg, PA 17105-3265

SECRETARY'S BUREAU

2005 JUL 28 PM 3:44

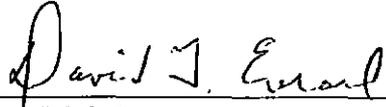
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SERVICE BY FIRST CLASS MAIL

David B. MacGregor, Esquire
Morgan, Lewis & Bockius, LP
1701 Market Street
Philadelphia, PA 19103-2921
Counsel For: Duquesne Light Company

John Laudenslager
Senior Manager, Government Affairs
Duquesne Light Company
411 Seventh Avenue, 8-6
Pittsburgh, PA 15219

Steven C. Gray
Assistant Small Business Advocate
Office of Small Business Advocate
Commerce Building, Suite 1102
300 North Second Street
Harrisburg, PA 17101



Tanya J. McCloskey
Senior Assistant Consumer Advocate
David T. Evrard
Assistant Consumer Advocate
Counsel for
Office of Consumer Advocate
555 Walnut Street 5th Floor, Forum Place
Harrisburg, PA 17101-1923
(717) 783-5048
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COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P O BOX 3265, HARRISBURG PA 17105-3265

August 11, 2005

NANCY J. D. KRAJOVIC, MANAGER
RATES & REGULATORY AFFAIRS UNIT
411 SEVENTH AVENUE, 8-6
PITTSBURGH, PA 15219

RE: PA PUC vs. Duquesne Light Company
R-00050662C000~~2~~ 3
C0003

Dear Sir/Madam:

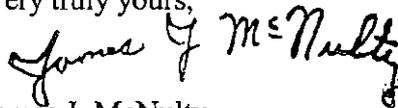
A Complaint has been filed against you in the above-captioned matter before the Pennsylvania Public Utility Commission by Office of Consumer Advocate.

This complaint, of which the attached is a true and correct copy, has been presented and filed of record with the Pennsylvania Public Utility Commission. The Pennsylvania Public Utility Code, 66 Pa. C.S., requires the Commission to serve on each party named in a complaint a copy of the complaint.

Within twenty (20) days from the date on which this complaint is served, you may either satisfy this complaint or comply with the provisions of 52 Pa. Code, Section 5.61 et seq., as amended.

**DOCUMENT
FOLDER**

Very truly yours,



James J. McNulty
Secretary

(SEAL)

Certified Mail
Return Receipt Requested

DOCKETED
AUG 15 2005

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PENNSYLVANIA PUBLIC UTILITY COMMISSION

Formal Complaint Form

R-00050662C0004

Please print or type.

1. CUSTOMER NAME (COMPLAINANT)

Your name, mailing address, county, telephone number, utility account number and service address:

Name Dave J Romesburg

Street/P.O. Box 27 Castle View Drive

Apt # _____

City Mc Kees Rocks

State PA

Zip 15136

County Allegheny

Area Code/HOME Phone 412-977-9965

Area Code/WORK Phone 412-788-3133

Utility Account Number #4000-495-148-003
(from your bill)

DOCKETED
SEP 30 2005

If your complaint involves utility service provided to a different address than your mailing address, please list this information below.

Name _____

Street/P.O. Box _____

City _____ State _____ Zip _____

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PA. P.U.C.
SECRETARY'S BUREAU

2. UTILITY NAME (RESPONDENT)

Name of utility company your complaint concerns: Duquesne Light

3. TYPE OF UTILITY (check one)

ELECTRIC

STEAM HEAT

GAS

WASTE WATER

WATER

MOTOR CARRIER

(taxi, moving company, limousine)

TELEPHONE

(local, long distance)

**DOCUMENT
FOLDER**

12

4. **COMPLAINT** (check one)

A. In general, what is your complaint?

- I want to oppose the company's proposed rate increase.
- There are incorrect charges on my bill.
- There is a reliability, safety or quality problem with my utility service.
- I received a notice that my utility service is being terminated.
- I would like a payment agreement.
- Other. (explain)

B. State the facts of your complaint.

Include any specific dates, times or places that are important. If the complaint is about a bill, tell us about any charges that you believe are not correct. Use additional paper if you need more space. Provide copies of all relevant documents you believe will support your complaint.

This complaint is in regards to the recent notice of an increase starting August 26th 2005 for 16 months with Duquesne Light Company!

I think it it ridiculous and outrageous that yet, once again, Duquesne Light needs another rate increase. I believe starting this past January 2005, we started already paying a "CUSTOMER CHARGE" mine is \$6.48 a month. Since Duquesne Light doesn't supply my electricity, not only do we have to start paying this monthly fee every single month, now Duquesne Light wants a 16 month rate increase??

I am completely against this rate increase and why is it every time we turn around the utility companies want more and more, fuel sky rocketing, doctor bills out of control, prescription drugs at an all time high and President Bush only need worry about Iraq and this year I get a whole 1.5% pay raise? That's ONE

Why bother offering competition within the utility companies? Duquesne light is already getting everything they want and more!!! How much more next time around? Even without this increase, my electric bill has already gone up \$20.00 or more a month and I even switch to another supplier!! Way to go PENNSYLVANIA!!

5. **RELIEF**

What do you want the Public Utility Commission to do about your complaint? Use additional paper if you need more space.

SAY NO TO THE PROPOSED INCREASE! Duquesne Light is already getting more than they are currently worth in my opinion! Pennsylvania is struggling enough, how much more can people take? SAY NO!!!!

6. PROTECTION FROM ABUSE

Answer the following question if your complaint is against a natural gas distribution company, an electric distribution company or a water company **AND** your complaint is about a billing problem, an application for service problem, a termination of service problem or a request for a payment agreement.

Has a court granted a "Protection from Abuse" order for your personal safety?

YES

NO

7. PRIOR UTILITY CONTACT

Answer the following question only if you are a residential customer and your complaint is against an electric distribution utility, natural gas distribution utility or a water distribution utility.

Have you spoken to a utility company representative about this complaint?

YES

(includes appeals of BCS determinations)

NO

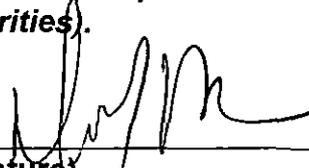
If you tried to, but could not speak to a utility company representative about your complaint, please explain why.

8. VERIFICATION AND SIGNATURE

You must print or type your name below on the line provided for the verification paragraph, and you must sign and date (in ink) this form on the lines provided.

Verification:

I DAVE ROMESBURG, hereby state that the facts above set forth are true and correct (or are true and correct to the best of my knowledge, information and belief) and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).



(Signature)

9/22/2005

(Date)

9. LEGAL REPRESENTATION (IF ANY)

If you are represented by a lawyer in this matter you must provide your lawyer's name, address and telephone number.

Lawyer's Name _____

Street _____

City _____ State _____ Zip _____

Area Code/Phone Number _____

10. FILING

Please return the completed form to one of the addresses listed below:

If using U.S. Postal Service:

If using overnight delivery service:

Secretary Pennsylvania Public Utility Commission P.O. Box 3265 Harrisburg, PA 17105	Secretary Pennsylvania Public Utility Commission 400 North Street Commonwealth Keystone Building, 2 nd Floor Harrisburg, Pennsylvania 17120
--	--

Facsimiles and/or electronic filings of the complaint form will not be accepted.

If you have any questions about filling out this form, please contact the Secretary's Bureau at 717-772-7777.

Keep a copy of your complaint for your records.

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

September 30, 2005

NANCY J. D. KRAJOVIC, MANAGER
RATES & REGULATORY AFFAIRS UNIT
411 SEVENTH AVENUE, 8-6
PITTSBURGH PA 15219

RE: PA PUC vs. Duquesne Light Company
R-00050662C0004

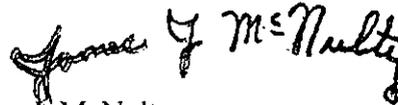
Dear Sir/Madam:

A Complaint has been filed against you in the above-captioned matter before the Pennsylvania Public Utility Commission by Dave J. Romesburg.

This complaint, of which the attached is a true and correct copy, has been presented and filed of record with the Pennsylvania Public Utility Commission. The Pennsylvania Public Utility Code, 66 Pa. C.S., requires the Commission to serve on each party named in a complaint a copy of the complaint.

Within twenty (20) days from the date on which this complaint is served, you may either satisfy this complaint or comply with the provisions of 52 Pa. Code, Section 5.61 et seq., as amended.

Very truly yours,



James J. McNulty
Secretary

**DOCUMENT
FOLDER**

(SEAL)

Certified Mail
Return Receipt Requested
jih

DOCKETED
SEP 30 2005

ORIGINAL

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Formal Complaint Form

SECRETARY'S BUREAU

05 OCT 11 AM 9:12

RECEIVED

Please print or type.

R-000506620005

1. CUSTOMER NAME (COMPLAINANT)

Your name, mailing address, county, telephone number, utility account number and service address:

Name Joan C Barlow

Street/P.O. Box 760 Gypsy Lane Apt #

City Pittsburgh State PA Zip 15228

County Allegheny

Area Code/HOME Phone 412-563-0525

Area Code/WORK Phone 412-258-6644

Utility Account Number 8001 272 713 001
(from your bill)

DOCUMENT FOLDER

If your complaint involves utility service provided to a different address than your mailing address, please list this information below.

Name

Street/P.O. Box

City State Zip

2. UTILITY NAME (RESPONDENT)

Name of utility company your complaint concerns: Duquesne Light

3. TYPE OF UTILITY (check one)

ELECTRIC

STEAM HEAT

GAS

WASTE WATER

WATER

MOTOR CARRIER
(taxi, moving company, limousine)

TELEPHONE
(local, long distance)

DOCKETED
OCT 17 2005

64

4. **COMPLAINT** (check)

A. In general, what is your complaint?

- I want to oppose the company's proposed rate increase.
- There are incorrect charges on my bill.
- There is a reliability, safety or quality problem with my utility service.
- I received a notice that my utility service is being terminated.
- I would like a payment agreement.
- Other.
(explain)

B. State the facts of your complaint.

Include any specific dates, times or places that are important. If the complaint is about a bill, tell us about any charges that you believe are not correct. Use additional paper if you need more space. Provide copies of all relevant documents you believe will support your complaint.

Duquesne Light Company's Supplement No. 28 to Tarif Electric No. 23 effective August 26, 2005 docketed at R-00050662. The language in the notice included in the September billing cycle reads " of about \$0.91" and "approximately 16 months." This language does not provide enough or adequate rate increase information to consumers to make an informed decision.

The Commission is responsible for assuring the maintenance of universal services at affordable rates in Pennsylvania. This "about" and "approximate" increase for the next 16 months does not assure Pennsylvania's residents affordable rates prior and during an anticipated cold winter. Therefore I object to the proposed rate increase.

5. **RELIEF**

What do you want the Public Utility Commission to do about your complaint? Use additional paper if you need more space.

Do not approve Duquesne Light's request for rate increase.



|

6. PROTECTION FROM ABUSE

Answer the following question if your complaint is against a natural gas distribution company, an electric distribution company or a water company AND your complaint is about a billing problem, an application for service problem, a termination of service problem or a request for a payment agreement.

Has a court granted a "Protection from Abuse" order for your personal safety?

YES

NO

7. PRIOR UTILITY CONTACT

Answer the following question only if you are a residential customer and your complaint is against an electric distribution utility, natural gas distribution utility or a water distribution utility.

Have you spoken to a utility company representative about this complaint?

YES
(includes appeals of BCS determinations)

NO

If you tried to, but could not speak to a utility company representative about your complaint, please explain why.

8. VERIFICATION AND SIGNATURE

You must print or type your name below on the line provided for the verification paragraph, and you must sign and date (in ink) this form on the lines provided.

Verification:

I Joan C Barlow, hereby state that the facts above set forth are true and correct (or are true and correct to the best of my knowledge, information and belief) and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

Joan C Barlow
(Signature)

Oct 6, 2005
(Date)

9. LEGAL REPRESENTATION (IF ANY)

If you are represented by a lawyer in this matter you must provide your lawyer's name, address and telephone number.

Lawyer's Name _____

Street _____

City _____ State _____ Zip _____

Area Code/Phone Number _____

10. FILING

Please return the completed form to one of the addresses listed below:

If using U.S. Postal Service:

If using overnight delivery service:

Secretary Pennsylvania Public Utility Commission P.O. Box 3265 Harrisburg, PA 17105	Secretary Pennsylvania Public Utility Commission 400 North Street Commonwealth Keystone Building, 2 nd Floor Harrisburg, Pennsylvania 17120
--	--

Facsimiles and/or electronic filings of the complaint form will not be accepted.

If you have any questions about filling out this form, please contact the Secretary's Bureau at 717-772-7777.

Keep a copy of your complaint for your records.

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

October 13, 2005

NANCY J. D. KRAJOVIC, MANAGER
RATES & REGULATORY AFFAIRS UNIT
411 SEVENTH AVENUE, 8-6
PITTSBURGH PA 15219

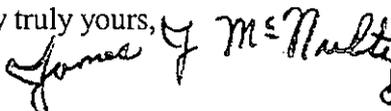
RE: PA PUC vs. Duquesne Light Company
R-00050662C0005

Dear Sir/Madam:

A Complaint has been filed against you in the above-captioned matter before the Pennsylvania Public Utility Commission by Joan C. Barlow.

This complaint, of which the attached is a true and correct copy, has been presented and filed of record with the Pennsylvania Public Utility Commission. The Pennsylvania Public Utility Code, 66 Pa. C.S., requires the Commission to serve on each party named in a complaint a copy of the complaint.

Within twenty (20) days from the date on which this complaint is served, you may either satisfy this complaint or comply with the provisions of 52 Pa. Code, Section 5.61 et seq., as amended.

Very truly yours,


James J. McNulty
Secretary

(SEAL)

Certified Mail
Return Receipt Requested

jih

DOCUMENT
FOLDER

DOCKETED
OCT 17 2005

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Formal Complaint Form

R-00050662 C0006

ORIGINAL

Please print or type.

110150 3923-111

1. CUSTOMER NAME (COMPLAINANT)

Your name, mailing address, county, telephone number, utility account number and service address:

Name DANIEL R STEPNIK

Street/P.O. Box 3302 WINDSTREAM DR Apt #

City GIBSONIA State PA Zip 15044

County ALLEGHENY

Area Code/HOME Phone 724-443-2692

Area Code/WORK Phone

Utility Account Number (from your bill)

ORIGINAL

If your complaint involves utility service provided to a different address than your mailing address, please list this information below.

Name

Street/P.O. Box

City State Zip

2. UTILITY NAME (RESPONDENT)

Name of utility company your complaint concerns: Duquesne Light Co

3. TYPE OF UTILITY (check one)

[X] ELECTRIC

[] STEAM HEAT

[] GAS

[] WASTE WATER

[] WATER

[] MOTOR CARRIER

(taxi, moving company, limousine)

[] TELEPHONE (local, long distance)

RECEIVED 05 OCT -5 AM 9:12 PA.P.U.C. SECRETARY'S BUREAU

DOCUMENT FOLDER

7

DOCKETED OCT 17 2005

4. **COMPLAINT** (check one)

A. In general, what is your complaint?

- I want to oppose the company's proposed rate increase.
- There are incorrect charges on my bill.
- There is a reliability, safety or quality problem with my utility service.
- I received a notice that my utility service is being terminated.
- I would like a payment agreement.

Other. **TEMPORARY TRANSMISSION CHARGE**
(explain)

B. State the facts of your complaint.

Include any specific dates, times or places that are important. If the complaint is about a bill, tell us about any charges that you believe are not correct. Use additional paper if you need more space. Provide copies of all relevant documents you believe will support your complaint.

WE RECEIVED NOTICE IN OUR LAST BILL FROM
DUQUESNE LIGHT THAT THE FEDERAL ENERGY REGULATORY
COMMISSION HAS IMPOSED A TEMPORARY TRANSMISSION CHARGE
ON SUPPLIER OF ELECTRICITY.

5. **RELIEF**

What do you want the Public Utility Commission to do about your complaint? Use additional paper if you need more space.

AS A RETIRED COUPLE, RETIRED, POOR HEALTH, AND ON A
FIXED INCOME FOR THE LAST 13 YEARS WE ARE AGAINST THIS
CHARGE, WE DON'T EVEN KNOW WHAT IT IS FOR, WE HAVE A HARD
TIME MAKING END MEET, AND NOW WITH THE INCREASE IN ALL
FORMS OF ENERGY WE WILL BE REALLY HURTING, ALSO WE
NEVER HEARD OF A TEMPORARY CHARGE OR TAX PUT ON BY THE
GOVERNMENT THAT EVER REMOVED. THINK OF US THAT DON'T HAVE
AN INCREASE IN INCOME AND REMOVE THIS TAX OR CHARGE.

6. PROTECTION FROM ABUSE

Answer the following question if your complaint is against a natural gas distribution company, an electric distribution company or a water company AND your complaint is about a billing problem, an application for service problem, a termination of service problem or a request for a payment agreement.

Has a court granted a "Protection from Abuse" order for your personal safety?

YES

NO

7. PRIOR UTILITY CONTACT

Answer the following question only if you are a residential customer and your complaint is against an electric distribution utility, natural gas distribution utility or a water distribution utility.

Have you spoken to a utility company representative about this complaint?

YES
(includes appeals of BCS determinations)

NO

If you tried to, but could not speak to a utility company representative about your complaint, please explain why.

8. VERIFICATION AND SIGNATURE

You must print or type your name below on the line provided for the verification paragraph, and you must sign and date (in ink) this form on the lines provided.

Verification:
I DANIEL R. STEPNIK, hereby state that the facts above set forth are true and correct (or are true and correct to the best of my knowledge, information and belief) and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

Daniel R Stepnik
(Signature)

10-1-05
(Date)

NOTICE

The Federal Energy Regulatory Commission (FERC) has imposed a temporary transmission charge on suppliers of electricity, including Duquesne Light Company, increasing the cost of providing power to customers.

To recover these new costs, the Public Utility Commission (PUC) is allowing Duquesne Light to collect a temporary increase from those customers who obtain transmission and generation services from Duquesne Light, effective Aug. 26, 2005. The average residential customer, who uses 587 kWh per month, will see an increase in the monthly bill of about \$0.91, or 1.5 percent, for a period of approximately 16 months.

The PUC is allowing Duquesne Light to collect these charges subject to a final decision on timely filed formal complaints. You can file a complaint regarding this rate increase by sending it to the PUC, P.O. Box 3265, Harrisburg, PA 17105-3265.

For more information, call the PUC at 1-800-782-1110.



Duquesne Light

Our Energy...Your Power

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

October 14, 2005

NANCY J.D. KRAJOVIC, MANAGER
RATES & REGULATORY AFFAIRS UNIT
411 SEVENTH AVENUE, 8-6
PITTSBURGH PA 15219

RE: PA PUC vs. Duquesne Light Company
R-00050662C0006

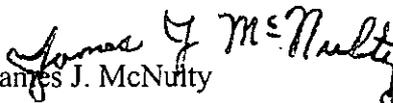
Dear Sir/Madam:

A Complaint has been filed against you in the above-captioned matter before the *Pennsylvania Public Utility Commission* by *Daniel R. Stepnick*.

This complaint, of which the attached is a true and correct copy, has been presented and filed of record with the Pennsylvania Public Utility Commission. The Pennsylvania Public Utility Code, 66 Pa. C.S., requires the Commission to serve on each party named in a complaint a copy of the complaint.

Within twenty (20) days from the date on which this complaint is served, you may either satisfy this complaint or comply with the provisions of 52 Pa. Code, Section 5.61 et seq., as amended.

Very truly yours,


James J. McNulty
Secretary

(SEAL)

Certified Mail
Return Receipt Requested

jih

DOCUMENT
FOLDER

DOCKETED
OCT 17 2005

ORIGINAL

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Formal Complaint Form

PA P.U.C.
SECRETARY'S BUREAU

15 OCT -3 AM 9:54

RECEIVED

Please print or type.

R-000506620007

1. CUSTOMER NAME (COMPLAINANT)

Your name, mailing address, county, telephone number, utility account number and service address:

Name Nancy & Dale Chambers

Street/P.O. Box 123 Bell Park Dr. Apt # _____

City Pittsburgh State PA Zip 15229

County Allegheny

Area Code/HOME Phone (412) 931-3755

Area Code/WORK Phone (412) 487-3300

Utility Account Number 5000-455-615-001
(from your bill)

RECEIVED

OCT 19 2005

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

If your complaint involves utility service provided to a different address than your mailing address, please list this information below.

Name _____

Street/P.O. Box _____

City _____ State _____ Zip _____

DOCUMENT
FOLDER

2. UTILITY NAME (RESPONDENT)

Name of utility company your complaint concerns: Duquesne Light

3. TYPE OF UTILITY (check one)

ELECTRIC

GAS

WATER

TELEPHONE
(local, long distance)

STEAM HEAT

WASTE WATER

MOTOR CARRIER
(taxi, moving company, limousine)

DOCKETED
OCT 20 2005

66
73

4. **COMPLAINT** (check one)

A. In general, what is your complaint?

- I want to oppose the company's proposed rate increase.
- There are incorrect charges on my bill.
- There is a reliability, safety or quality problem with my utility service.
- I received a notice that my utility service is being terminated.
- I would like a payment agreement.
- Other.
(explain)

B. State the facts of your complaint.

Include any specific dates, times or places that are important. If the complaint is about a bill, tell us about any charges that you believe are not correct. Use additional paper if you need more space. Provide copies of all relevant documents you believe will support your complaint.

Does not explain why there are new cuts.
This state is the only one to intervene

5. **RELIEF**

What do you want the Public Utility Commission to do about your complaint? Use additional paper if you need more space.

No increase

6. PROTECTION FROM ABUSE

Answer the following question if your complaint is against a natural gas distribution company, an electric distribution company or a water company **AND** your complaint is about a billing problem, an application for service problem, a termination of service problem or a request for a payment agreement.

Has a court granted a "Protection from Abuse" order for your personal safety?

YES

NO

7. PRIOR UTILITY CONTACT

Answer the following question only if you are a residential customer and your complaint is against an electric distribution utility, natural gas distribution utility or a water distribution utility.

Have you spoken to a utility company representative about this complaint?

YES
(includes appeals of BCS determinations)

NO

If you tried to, but could not speak to a utility company representative about your complaint, please explain why.

8. VERIFICATION AND SIGNATURE

You must print or type your name below on the line provided for the verification paragraph, and you must sign and date (in ink) this form on the lines provided.

Verification: I Nancy Chamber, hereby state that the facts above set forth are true and correct (or are true and correct to the best of my knowledge, information and belief) and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

Nancy Chamber
(Signature)

9-20-05
(Date)

9. LEGAL REPRESENTATION (IF ANY)

If you are represented by a lawyer in this matter you must provide your lawyer's name, address and telephone number.

Lawyer's Name _____

Street _____

City _____ State _____ Zip _____

Area Code/Phone Number _____

10. FILING

Please return the completed form to one of the addresses listed below:

If using U.S. Postal Service:

If using overnight delivery service:

Secretary Pennsylvania Public Utility Commission P.O. Box 3265 Harrisburg, PA 17105	Secretary Pennsylvania Public Utility Commission 400 North Street Commonwealth Keystone Building, 2 nd Floor Harrisburg, Pennsylvania 17120
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If you have any questions about filling out this form, please contact the Secretary's Bureau at 717-772-7777.

Keep a copy of your complaint for your records.

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

October 20, 2005

NANCY J. D. KRAJOVIC, MANAGER
RATES & REGULATORY AFFAIRS UNIT
411 SEVENTH AVENUE, 8-6
PITTSBURGH PA 15219

RE: PA PUC vs. Duquesne Light Company
R-00050662C0007

Dear Sir/Madam:

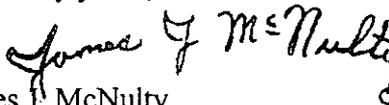
A Complaint has been filed against you in the above-captioned matter before the Pennsylvania Public Utility Commission by Nancy & Dale Chambers.

This complaint, of which the attached is a true and correct copy, has been presented and filed of record with the Pennsylvania Public Utility Commission. The Pennsylvania Public Utility Code, 66 Pa. C.S., requires the Commission to serve on each party named in a complaint a copy of the complaint.

Within twenty (20) days from the date on which this complaint is served, you may either satisfy this complaint or comply with the provisions of 52 Pa. Code, Section 5.61 et seq., as amended.

Very truly yours,

**DOCUMENT
FOLDER**


James J. McNulty
Secretary

(SEAL)

Certified Mail
Return Receipt Requested
jih

DOCKETED
OCT 20 2005

Must be returned by «duedate»

ORIGINAL

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Formal Complaint Form

Please print or type.

R-00050662C0008

1. CUSTOMER NAME (COMPLAINANT)

Your name, mailing address, county, telephone number, utility account number and service address:

Name EDWARD SCHNEIDER

Street/P.O. Box 39237 SHAMROCK COURT Apt # _____

City PITTSBURGH State PA Zip 15239

County ALLEGHENY

Area Code/HOME Phone 412-798-1485

Area Code/WORK Phone _____

Utility Account Number 7000-117-984-003
(from your bill)

If your complaint involves utility service provided to a different address than your mailing address, please list this information below.

Name _____

Street/P.O. Box _____

City _____ State _____ Zip _____

2. UTILITY NAME (RESPONDENT)

Name of utility company your complaint concerns: DUQUESNE LIGHT 4

DOCKETED
OCT 25 2005

**DOCUMENT
FOLDER**

RECEIVED
05 OCT 11 AM 9:12
PA.P.U.C.
SECRETARY'S BUREAU

30

3. TYPE OF UTILITY (Check one)

- | | |
|--|---|
| <input checked="" type="checkbox"/> ELECTRIC | <input type="checkbox"/> STEAM HEAT |
| <input type="checkbox"/> GAS | <input type="checkbox"/> WASTE WATER |
| <input type="checkbox"/> WATER | <input type="checkbox"/> MOTOR CARRIER
(taxi, moving company, limousine) |
| <input type="checkbox"/> TELEPHONE
(local, long distance) | |

4. COMPLAINT (check one)

A. In general, what is your complaint?

- I want to oppose the company's proposed rate increase.
- There are incorrect charges on my bill.
- There is a reliability, safety or quality problem with my utility service.
- I received a notice that my utility service is being terminated.
- I would like a payment agreement.
- Other.
(explain)

B. State the facts of your complaint.

Include any specific dates, times or places that are important. If the complaint is about a bill, tell us about any charges that you believe are not correct. Use additional paper if you need more space. Provide copies of all relevant documents you believe will support your complaint.

SEE ATTACHED LETTER

September 13, 2005

**The Public Utilities Commission
P.O. Box 3265
Harrisburg, Pa. 17105-3265**

To Whomever it may concern,

Please accept this as a timely complaint against the FERC temporary transmission charge being imposed on Duquesne Light customers. I received a notice with my electric bill explaining that my monthly charge will be increased by about 1.5 %. The notice really doesn't explain why the charge is being imposed just that I must pay it. Give me a break, how can the FERC justify this without telling me why? "Oh. it is a Federal commission so they just add a new charge at will!"

Pass this on to the FERC please. We who are on a fixed income cannot accept an additional 1.5% just like that!

Thank You.

Edward Schneider

**39237 Shamrock Court
Pittsburgh, Pa 15239**

5. RELIEF

What do you want the Public Utility Commission to do about your complaint? Use additional paper if you need more space.

STOP THE RATE INCREASE!

6. PROTECTION FROM ABUSE

Answer the following question if your complaint is against a natural gas distribution company, an electric distribution company or a water company **AND** your complaint is about a billing problem, an application for service problem, a termination of service problem or a request for a payment agreement.

Has a court granted a "Protection from Abuse" order for your personal safety?

YES

NO

7. PRIOR UTILITY CONTACT

Answer the following question only if you are a residential customer and your complaint is against an electric distribution utility, natural gas distribution utility or a water distribution utility.

Have you spoken to a utility company representative about this complaint?

YES
(includes appeals of BCS determinations)

NO

If you tried to, but could not speak to a utility company representative about your complaint, please explain why.

8. VERIFICATION AND SIGNATURE

You must print or type your name below on the line provided for the verification paragraph, and you must sign and date (in ink) this form on the lines provided.

Verification:

I EDWARD SCHNEIDER, hereby state that the facts above set forth are true and correct (or are true and correct to the best of my knowledge, information and belief) and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).



(Signature)

(Date)

9. LEGAL REPRESENTATION (IF ANY)

If you are represented by a lawyer in this matter you must provide your lawyer's name, address and telephone number.

Lawyer's Name _____

Street _____

City _____ State _____ Zip _____

Area Code/Phone Number _____

10. FILING

Please return the completed form to one of the addresses listed below:

If using U.S. Postal Service:

If using overnight delivery service:

Secretary Pennsylvania Public Utility Commission P.O. Box 3265 Harrisburg, PA 17105	Secretary Pennsylvania Public Utility Commission 400 North Street Commonwealth Keystone Building, 2 nd Floor Harrisburg, Pennsylvania 17120
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Facsimiles and/or electronic filings of the complaint form will not be accepted.

If you have any questions about filling out this form, please contact the Secretary's Bureau at 717-772-7777.

Keep a copy of your complaint for your records.

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

October 25, 2005

NANCY J. D. KRAJOVIC, MANAGER
RATES & REGULATORY AFFAIRS UNIT
411 SEVENTH AVENUE, 8-6
PITTSBURGH PA 15219

RE: PA PUC vs. Duquesne Light Company
R-00050662C0008

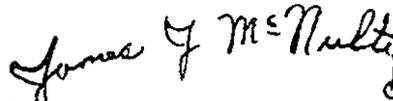
Dear Sir/Madam:

A Complaint has been filed against you in the above-captioned matter before the Pennsylvania Public Utility Commission by Edward Schneider.

This complaint, of which the attached is a true and correct copy, has been presented and filed of record with the Pennsylvania Public Utility Commission. The Pennsylvania Public Utility Code, 66 Pa. C.S., requires the Commission to serve on each party named in a complaint a copy of the complaint.

Within twenty (20) days from the date on which this complaint is served, you may either satisfy this complaint or comply with the provisions of 52 Pa. Code, Section 5.61 et seq., as amended.

Very truly yours,



James J. McNulty
Secretary

(SEAL)

Certified Mail
Return Receipt Requested

jih

DOCUMENT
FOLDER

DOCKETED
OCT 25 2005

ORIGINAL

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Formal Complaint Form

RECEIVED
2005 OCT 21 AM 9:13
PA P.U.C.
SECRETARY'S BUREAU

Please print or type.

R-00050662C0009

1. CUSTOMER NAME (COMPLAINANT)

Your name, mailing address, county, telephone number, utility account number and service address:

Name JAMES A. McFADDEN AND LINCA S. McFADDEN

Street/P.O. Box 342 EDGEWOOD AVENUE Apt # _____

City ALIQUIPPA State PA Zip 15001-1817

County BEAVER

Area Code/HOME Phone 724-378-1366

Area Code/WORK Phone _____

Utility Account Number 5000-667-140-003
(from your bill)

DOCKETED
NOV 04 2005

If your complaint involves utility service provided to a different address than your mailing address, please list this information below.

Name N/A

Street/P.O. Box _____

City _____ State _____ Zip _____

DOCUMENT
FOLDER

2. UTILITY NAME (RESPONDENT)

Name of utility company your complaint concerns: DUQUESNE LIGHT COMPANY

3. TYPE OF UTILITY (check one)

ELECTRIC

STEAM HEAT

GAS

WASTE WATER

WATER

MOTOR CARRIER
(taxi, moving company, limousine)

TELEPHONE
(local, long distance)

18

4. **COMPLAINT** (check one)

A. In general, what is your complaint?

- I want to oppose the company's proposed rate increase.
- There are incorrect charges on my bill.
- There is a reliability, safety or quality problem with my utility service.
- I received a notice that my utility service is being terminated.
- I would like a payment agreement.

- Other. *PUC IS ALLOWING DUQUESNE LIGHT TO COLLECT A (explain) TEMPORARY INCREASE FROM CUSTOMERS WHO OBTAIN TRANSMISSION AND GENERATION SERVICES FROM DUQUESNE LIGHT.*
- B. State the facts of your complaint.** *SEE ATTACHED.*

Include any specific dates, times or places that are important. If the complaint is about a bill, tell us about any charges that you believe are not correct. Use additional paper if you need more space. Provide copies of all relevant documents you believe will support your complaint.

5. **RELIEF**

What do you want the Public Utility Commission to do about your complaint? Use additional paper if you need more space. *NO ALLOW DUQUESNE LIGHT TO COLLECT ANY TEMPORARY INCREASE TO MY STATEMENT.*

6. PROTECTION FROM ABUSE

Answer the following question if your complaint is against a natural gas distribution company, an electric distribution company or a water company **AND** your complaint is about a billing problem, an application for service problem, a termination of service problem or a request for a payment agreement.

Has a court granted a "Protection from Abuse" order for your personal safety?

YES

NO

7. PRIOR UTILITY CONTACT

Answer the following question only if you are a residential customer and your complaint is against an electric distribution utility, natural gas distribution utility or a water distribution utility.

Have you spoken to a utility company representative about this complaint?

YES
(includes appeals of BCS determinations)

NO

If you tried to, but could not speak to a utility company representative about your complaint, please explain why.

8. VERIFICATION AND SIGNATURE

You must print or type your name below on the line provided for the verification paragraph, and you must sign and date (in ink) this form on the lines provided.

Verification:

I JAMES A. McFADDEN AND LINDA S. McFADDEN hereby state that the facts above set forth are true and correct (or are true and correct to the best of my knowledge, information and belief) and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).


(Signature)

Linda S. McFadden

10/17/2005
(Date)

9. LEGAL REPRESENTATION (IF ANY)

If you are represented by a lawyer in this matter you must provide your lawyer's name, address and telephone number.

Lawyer's Name _____

Street _____

City _____ State _____ Zip _____

Area Code/Phone Number _____

10. FILING

Please return the completed form to one of the addresses listed below:

If using U.S. Postal Service:

If using overnight delivery service:

Secretary Pennsylvania Public Utility Commission P.O. Box 3265 Harrisburg, PA 17105	Secretary Pennsylvania Public Utility Commission 400 North Street Commonwealth Keystone Building, 2 nd Floor Harrisburg, Pennsylvania 17120
--	--

Facsimiles and/or electronic filings of the complaint form will not be accepted.

If you have any questions about filling out this form, please contact the Secretary's Bureau at 717-772-7777.

Keep a copy of your complaint for your records.

NOTICE

The Federal Energy Regulatory Commission (FERC) has imposed a temporary transmission charge on suppliers of electricity, including Duquesne Light Company, increasing the cost of providing power to customers.

To recover these new costs, the Public Utility Commission (PUC) is allowing Duquesne Light to collect a temporary increase from those customers who obtain transmission and generation services from Duquesne Light, effective Aug. 26, 2005. The average residential customer, who uses 587 kWh per month, will see an increase in the monthly bill of about \$0.91, or 1.5 percent, for a period of approximately 16 months.

The PUC is allowing Duquesne Light to collect these charges subject to a final decision on timely filed formal complaints. You can file a complaint regarding this rate increase by sending it to the PUC, P.O. Box 3265, Harrisburg, PA 17105-3265.

For more information, call the PUC at 1-800-782-1110.

Collected 10/01/05
Called 10/10/05



Customer Name and Service Address:
JAMES A MCFADDEN JR
342 EDGEWOOD AVE
ALIQUPPA, PA 15001-1817

Account Number 5000-667-140-003

Rate: RS-Residential Service

Date Prepared: 09/09/05

Meter Reading Usage Information

Next Scheduled Meter Reading Date: October 10, 2005

Meter Read Information for Meter Number: G57147053

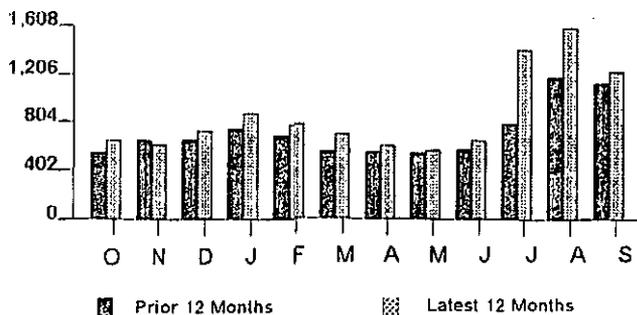
Present: Sep 08, 2005- Actual	7445
Prior: Aug 09, 2005- Actual	7341
Difference	104
Your Meter Multiplier	x 12
Total kWh Used	1248

Electric Usage:

Comparing Your Usage

	Sep 04	Sep 05
Avg. kWh Per Day	38	41
Avg. Temperature (F)	69	71
YTD Usage (kWh)	6,912	8,556

kWh



- Average Monthly Usage for the past 12 months is 883 kWh.
- Total Annual Usage for the past 12 months is 10,596 kWh.
- Your price to compare is 6.69 cents/kWh.

Summary

Prior Billing Information

Total Amount of Last Bill	\$215.13
Total Payment Received: 08/29/05	-90.00

Total Amount Owed From Your Last Bill \$125.13

DLC Current Basic Charges

Total DLC Basic Service Charges 44.63

Supplier Current Charges

Total Supplier Basic Service Charges 81.00

Total Account Balance \$250.76

Total DLC Basic Service Balance \$85.50

Total Supplier Basic Service Balance \$165.26

Total Budget Balance \$90.00

*Pd \$90.00
CL# 1443
10/03/05*

ACTUAL METER READING BILL

See following pages for more detailed information.

Please contact us with any billing questions before the due date on your bill.

The "Budget Amount" and "Amount Due" include the estimated taxes as shown in the left boxes.

Estimated Gross Receipts Tax	Estimated PA State Taxes	Late Charge after Oct 3, 2005	Payment Due	Budget Amount	Amount Due
\$7.41	\$8.54	\$1.07	Oct 3, 2005	\$90.00	or \$90.00



Customer Name and Service Address:
 JAMES A MCFADDEN JR
 342 EDGEWOOD AVE
 ALIQUIPPA, PA 15001-1817

Account Number 5000-667-140-003

Rate: RS-Residential Service

Duquesne Light Company Information	Duquesne Light Company Charges																					
<p>Need to call us? Moving? Billing Questions? For quicker access, call us Tuesday, Wednesday or Thursday afternoons.</p> <p>Budget Payer. Please pay the Budget Amount printed below.</p> <p>Help Our Neighbors. By giving to the Dollar Energy Fund, you help people without heat or light. Please add \$1.00 to your payment. Your gift is tax deductible.</p> <p>The Value of Electricity. Making that first cup of coffee, emailing a friend, watching the latest DVD release, reading a bedtime story -- electricity helps make a typical day typical. The cost to energize your life, \$1.49 per day.</p>	<p>Prior Billing Information</p> <table border="0"> <tr> <td>Amount of Last DLC Bill for Basic Service</td> <td style="text-align: right;">\$73.87</td> <td></td> </tr> <tr> <td>Payment Received: 08/29/05 - Thank You</td> <td style="text-align: right;">-33.00</td> <td></td> </tr> <tr> <td>DLC Amount Owed From Your Last Bill</td> <td></td> <td style="text-align: right;">\$40.87</td> </tr> </table> <p>Current Charges</p> <table border="0"> <tr> <td>Customer Charge</td> <td style="text-align: right;">6.48</td> <td></td> </tr> <tr> <td>Distribution 1248 kWh@ 3.0694¢</td> <td style="text-align: right;">38.31</td> <td></td> </tr> <tr> <td>Pennsylvania Tax Adjustment</td> <td style="text-align: right;">-0.16</td> <td></td> </tr> <tr> <td>Total DLC Basic Service</td> <td></td> <td style="text-align: right;">44.63</td> </tr> </table> <p>Total DLC Charges \$44.63</p> <p>DLC Account Balance \$85.50</p> <p>Budget Balance \$33.00</p>	Amount of Last DLC Bill for Basic Service	\$73.87		Payment Received: 08/29/05 - Thank You	-33.00		DLC Amount Owed From Your Last Bill		\$40.87	Customer Charge	6.48		Distribution 1248 kWh@ 3.0694¢	38.31		Pennsylvania Tax Adjustment	-0.16		Total DLC Basic Service		44.63
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Distribution 1248 kWh@ 3.0694¢	38.31																					
Pennsylvania Tax Adjustment	-0.16																					
Total DLC Basic Service		44.63																				
General & Supplier Information	Supplier Charges																					
<p>DOMINION PEOPLES PLUS P.O. BOX 298 PITTSBURGH, PA 15230-0298</p> <p>For questions regarding the supplier portion of your bill, call Dominion Peoples Plus at 1-800-903-0380.</p> <ul style="list-style-type: none"> • Generation prices and charges are set by the electric generation supplier you have chosen. • The Public Utility Commission regulates distribution prices and services. • The Federal Energy Regulatory Commission regulates transmission prices and services. 	<p>Prior Billing Information</p> <table border="0"> <tr> <td>Amount of Last Supplier Bill</td> <td style="text-align: right;">\$141.26</td> <td></td> </tr> <tr> <td>Payment Received: 08/29/05 - Thank You</td> <td style="text-align: right;">-57.00</td> <td></td> </tr> <tr> <td>Supplier Amount Owed From Your Last Bill</td> <td></td> <td style="text-align: right;">\$84.26</td> </tr> </table> <p>Current Charges</p> <table border="0"> <tr> <td>Generation & Transmission</td> <td></td> <td></td> </tr> <tr> <td>1248 kWh@ 6.4900¢</td> <td style="text-align: right;">81.00</td> <td></td> </tr> <tr> <td>Total Supplier Basic Service</td> <td></td> <td style="text-align: right;">81.00</td> </tr> </table> <p>Total Supplier Charges \$81.00</p> <p>Supplier Account Balance \$165.26</p> <p>Budget Balance \$57.00</p>	Amount of Last Supplier Bill	\$141.26		Payment Received: 08/29/05 - Thank You	-57.00		Supplier Amount Owed From Your Last Bill		\$84.26	Generation & Transmission			1248 kWh@ 6.4900¢	81.00		Total Supplier Basic Service		81.00			
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Total Supplier Basic Service		81.00																				

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

October 26, 2005

NANCY J. D. KRAJOVIC, MANAGER
RATES & REGULATORY AFFAIRS UNIT
411 SEVENTH AVENUE, 8-6
PITTSBURGH PA 15219

DOCUMENT
FOLDER

DOCKETED
NOV 04 2005

RE: PA PUC vs. Duquesne Light Company
R-00050662C0009

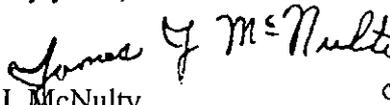
Dear Sir/Madam:

A Complaint has been filed against you in the above-captioned matter before the Pennsylvania Public Utility Commission by James A. & Linda S. McFadden.

This complaint, of which the attached is a true and correct copy, has been presented and filed of record with the Pennsylvania Public Utility Commission. The Pennsylvania Public Utility Code, 66 Pa. C.S., requires the Commission to serve on each party named in a complaint a copy of the complaint.

Within twenty (20) days from the date on which this complaint is served, you may either satisfy this complaint or comply with the provisions of 52 Pa. Code, Section 5.61 et seq., as amended.

Very truly yours,


James J. McNulty
Secretary

(SEAL)

Certified Mail
Return Receipt Requested

jih

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

November 9, 2005

DUQUESNE LIGHT COMPANY
NANCY J. D. KRAJOVIC, MANAGER
RATES & REGULATORY AFFAIRS UNIT
411 SEVENTH AVENUE, 8-6
PITTSBURGH PA 15219

DOCUMENT
FOLDER

RE: PA PUC vs. DUQUESNE LIGHT COMPANY
R-00050662C0010

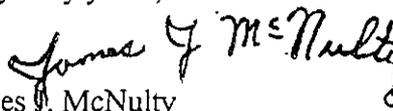
Dear Sir/Madam:

A Complaint has been filed against you in the above-captioned matter before the Pennsylvania Public Utility Commission by Aimee-Marie Dorsten.

This complaint, of which the attached is a true and correct copy, has been presented and filed of record with the Pennsylvania Public Utility Commission. The Pennsylvania Public Utility Code, 66 Pa. C.S., requires the Commission to serve on each party named in a complaint a copy of the complaint.

Within twenty (20) days from the date on which this complaint is served, you may either satisfy this complaint or comply with the provisions of 52 Pa. Code, Section 5.61 et seq., as amended.

Very truly yours,


James J. McNulty
Secretary

(SEAL)

Certified Mail
Return Receipt Requested

jih

DOCKETED
NOV 16 2005

ORIGINAL

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Formal Complaint Form

RECEIVED
2005 OCT 28 AM 9:01
PA P.U.C.
SECRETARY'S BUREAU

Please print or type.

R-000506620010

1. CUSTOMER NAME (COMPLAINANT)

Your name, mailing address, county, telephone number, utility account number and service address:

Name Arnee-Marie Dorsten

Street/P.O. Box 242 S. Winebiddle St. Apt # _____

City Pittsburgh State PA Zip 15224

County Allegheny

Area Code/HOME Phone 412.441.9555

Area Code/WORK Phone 412.624.6567

Utility Account Number 5001-157-988-003
(from your bill)

DOCUMENT FOLDER

If your complaint involves utility service provided to a different address than your mailing address, please list this information below.

Name _____

Street/P.O. Box _____

City _____ State _____ Zip _____

RECEIVED
2005 NOV -7 AM 9:38
PA P.U.C.
SECRETARY'S BUREAU

2. UTILITY NAME (RESPONDENT)

Name of utility company your complaint concerns: Duquesne Light

3. TYPE OF UTILITY (check one)

ELECTRIC

STEAM HEAT

GAS

WASTE WATER

WATER

MOTOR CARRIER

(taxi, moving company, limousine)

TELEPHONE
(local, long distance)

DOCKETED
NOV 16 2005

Handwritten initials/signature

4. **COMPLAINT** (check one)

A. In general, what is your complaint?

- I want to oppose the company's proposed rate increase.
- There are incorrect charges on my bill.
- There is a reliability, safety or quality problem with my utility service.
- I received a notice that my utility service is being terminated.
- I would like a payment agreement.
- Other.
(explain)

B. State the facts of your complaint.

Include any specific dates, times or places that are important. If the complaint is about a bill, tell us about any charges that you believe are not correct. Use additional paper if you need more space. Provide copies of all relevant documents you believe will support your complaint.

I have included a copy of the proposed rate increase I am opposed to. I make only \$2,000 above the public assistance program requirements. I cannot afford dual increases: gas and electric.

5. **RELIEF**

What do you want the Public Utility Commission to do about your complaint? Use additional paper if you need more space.

Please do not allow Duquesne Light Electric Company to enact the proposed rate increase that is effective as of August 26, 2005. This increase was supposed to cover the Federal Energy Regulatory Commission (FERC) temporary transmission charge.

6. PROTECTION FROM ABUSE

Answer the following question if your complaint is against a natural gas distribution company, an electric distribution company or a water company **AND** your complaint is about a billing problem, an application for service problem, a termination of service problem or a request for a payment agreement.

Has a court granted a "Protection from Abuse" order for your personal safety?

YES

NO

7. PRIOR UTILITY CONTACT

Answer the following question only if you are a residential customer and your complaint is against an electric distribution utility, natural gas distribution utility or a water distribution utility.

Have you spoken to a utility company representative about this complaint?

YES
(includes appeals of BCS determinations)

NO

If you tried to, but could not speak to a utility company representative about your complaint, please explain why.

8. VERIFICATION AND SIGNATURE

You must print or type your name below on the line provided for the verification paragraph, and you must sign and date (in ink) this form on the lines provided.

Verification:
I Amee-Marie Dorsten, hereby state that the facts above set forth are true and correct (or are true and correct to the best of my knowledge, information and belief) and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

Amee-Marie Dorsten
(Signature) 10/25/08
(Date)

9. LEGAL REPRESENTATION (IF ANY)

If you are represented by a lawyer in this matter you must provide your lawyer's name, address and telephone number.

Lawyer's Name _____

Street _____

City _____ State _____ Zip _____

Area Code/Phone Number _____

10. FILING

Please return the completed form to one of the addresses listed below:

If using U.S. Postal Service:

If using overnight delivery service:

Secretary Pennsylvania Public Utility Commission P.O. Box 3265 Harrisburg, PA 17105	Secretary Pennsylvania Public Utility Commission 400 North Street Commonwealth Keystone Building, 2 nd Floor Harrisburg, Pennsylvania 17120
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Keep a copy of your complaint for your records.