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# DOCUMENT FOLDER

July 14, 2006

Anthony D. Kanagy

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File #: 2267-126932

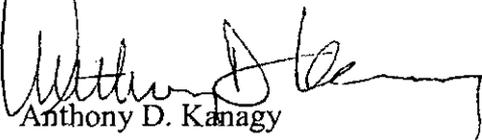
George Jugovic, Jr.  
PennFuture  
425 Sixth Avenue, Suite 2770  
Pittsburgh, PA 15291

**RE: Pennsylvania Public Utility Commission v. Duquesne Light Company**  
**Docket No. R-00061346**

Dear Counsel:

Enclosed please find an original and two (2) copies of Duquesne Light Company's Interrogatories and Requests for Production of Documents to Citizens for Pennsylvania's Future ("PennFuture") Set 1 in the above-referenced proceeding.

Very truly yours,



Anthony D. Kanagy

ADK/skr  
Enclosure

cc: James J. McNulty, Secretary (letter and certificate of service only)  
Certificate of Service

2005 JUL 14 PM 3:26  
PA PUC  
SECRETARY'S BUREAU

## CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been served upon the following persons, in the manner indicated, in accordance with the requirements of § 1.54 (relating to service by a participant).

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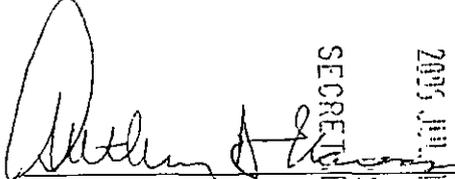
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Wilmington, DE 19899-1347

Date: July 14, 2006

  
Anthony D. Kanagy  
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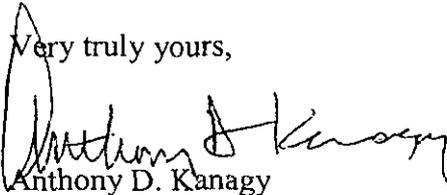
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**RE: Pennsylvania Public Utility Commission v. Duquesne Light Company**  
**Docket No. R-00061346**

Dear Counsel:

Enclosed please find an original and two (2) copies of Duquesne Light Company's Interrogatories and Requests for Production of Documents to the Office of Consumer Advocate ("OCA") Set 4 in the above-referenced proceeding.

Very truly yours,

  
Anthony D. Kanagy

ADK/skr  
Enclosure

cc: James J. McNulty, Secretary (letter and certificate of service only)  
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2006 JUL 14 PM 3:27  
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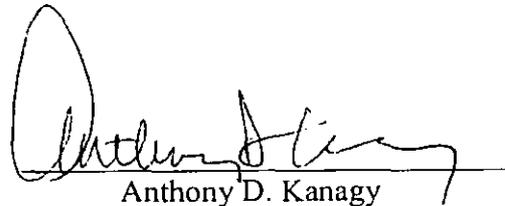
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**RE: Pennsylvania Public Utility Commission v. Duquesne Light Company**  
**Docket No. R-00061346**

Dear Counsel:

Enclosed please find an original and two (2) copies of Duquesne Light Company's Interrogatories and Requests for Production of Documents to Wal-Mart Stores East, L.P. ("Wal-Mart") Set 1 in the above-referenced proceeding.

Very truly yours,

  
Anthony D. Kanagy

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2006 JUL 14 PM 3:27  
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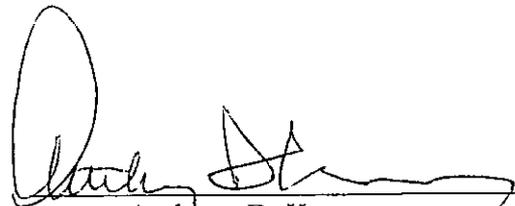
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**Docket No. R-00061346**

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Anthony D. Kanagy

# MEMO

Date: July 17, 2006

Subject: EX PARTE COMMUNICATION

Pennsylvania Public Utility Commission

v.

Duquesne Light Company

Docket No. R-00061346

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2006 JUL 19 AM 9:13

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To: Wanda Zeiders  
Docket Management

**ATTN: DOCKET SECTION**

From: Larry Gesoff  
Administrative Law Judge LG

Attached are two documents: a letter dated July 13, 2006 to me from four members of the Allegheny County Council; and a copy of an email send July 17, 2006 from me to Jared E. Barker, Director of Legislative Services, Allegheny County Council. The letter is an ex parte communication. I have sent electronic copies of it to Chief ALJ Smith, OALJ Legal Division Supervisor Rohrbaugh and all parties in the proceeding.

Please file the attached documents into the appropriate folder of the subject proceeding. I believe this should be the correspondence folder not the document folder given that the letter is an ex parte communication.

Thank you



**RICH FITZGERALD, PRESIDENT**  
**County of Allegheny**

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RFITZGERALD@COUNTY.ALLEGHENY.PA.US

RECEIVED  
2006 JUL 19 AM 9:13  
SECRETARY OF THE COUNTY CLERK'S OFFICE

July 13, 2006

Judge Larry Gesoff  
1103 Pittsburgh State Office Building  
300 Liberty Avenue  
Pittsburgh, PA 15222

Dear Judge Gesoff:

I write along with my fellow Members of Council to voice my thoughts on the proposed establishment of a fund by Duquesne Light to support renewable energy resources. We have elected to do this because we believe that all elected officials owe the public a duty to protect the environment, both for the immediate benefits and as a means of preserving resources such as clean air and water for future generations. To this end, we have recently sponsored legislation at the County level which embraces the concept of exploring increased reliance on renewable energy resources. It is, however, obvious that the concept of using renewable energy will only reach its fullest potential once it is fully embraced in the private sector as well.

As you are no doubt aware, in the past 10 years since passage of the Electricity Generation Customer Choice and Competition Act, prices for coal, natural gas and oil have increased by approximately 200 to 300 percent. Almost none of these fuel cost increases have been passed through via electric rates paid by Pennsylvania's consumers, thanks to the *elimination of the fuel adjustment clauses that existed prior to restructuring.*

In 1996, Duquesne Light's residential customers were paying among the highest rates in the country and the second highest in Pennsylvania. Pennsylvania's average price for electricity was approximately 15 percent above the national average. DLC residential electric prices are substantially lower now in the DLC service territory in constant dollars and even in nominal dollars than they were in 2006. Duquesne Light's residential customers have benefited enormously from restructuring, with savings for them averaging \$170 per year for non-electric heating customers and \$440 per year for electric heating customers. Rate caps have ended and stranded cost charges have been removed from bills for several years in the DLC service territory. DLC proves that rates or prices do not necessarily rise in nominal or constant dollar terms when rate caps end.

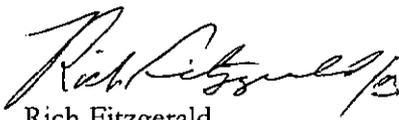
Duquesne Light can continue the trend by increasing the supply of electricity, especially new generation that does not burn fossil fuels, and boost energy conservation to reduce demand from what it would otherwise be. Boosting supply, reducing demand - especially peak demand - and diversifying the fuels used to make electricity will put downward pressure on prices.

Renewable energy technologies are ideal for this purpose. These technologies produce electricity in a manner that benefits the environment, helps protect public health, and reduces the reliance on coal, natural gas, and oil to make electricity. Renewable energy helps diversify how electricity is made, and diversification benefits electricity consumers, especially when natural gas, coal and oil all have sharply increased in price during the last five years. Renewable energy uses fuel that is domestic and not subject to foreign fuel security issues. In the case of wind power, solar power, methane capture, and hydroelectric

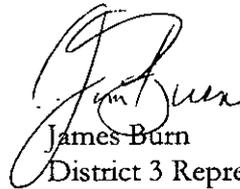
generation, renewable energy technologies produce electricity with a fuel that has zero cost. This new technology sector is also providing new jobs and economic growth to the region.

As a result of a quirk of the restructuring process, the Duquesne Light service territory is the only major electric service territory that does not already have a sustainable development fund operating in it to support renewable energy and energy conservation. The electric restructuring process created such a fund in the Exelon, PPL, First Energy, and Allegheny Energy service territories. It is past time to correct the disparate and unfair treatment of the Duquesne Light Service territory by creating a fund to support renewable energy and energy conservation projects that would benefit the Duquesne Light Service Territory. These funds have already supported wind power projects, methane digester projects, energy conservation projects, solar power projects, and many more clean energy initiatives, and we anticipate that they will be invaluable tools in the development of the renewable energy resources that are vital to the sustainability of our environment for future generations.

Sincerely,



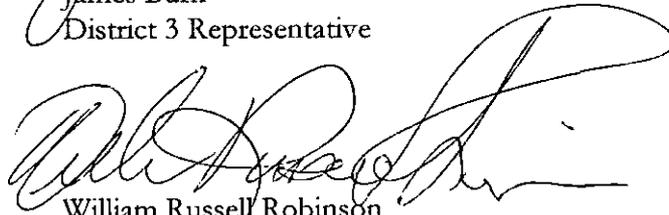
Rich Fitzgerald  
Council President  
District 11 Representative



James Burn  
District 3 Representative



Joan Cleary  
District 6 Representative



William Russell Robinson  
District 10 Representative

Gesoff, Larry

**From:** Gesoff, Larry  
**Sent:** Monday, July 17, 2006 8:45 AM  
**To:** 'Barker, Jared'  
**Cc:** Smith, Veronica; Rohrbaugh, Eric; Beehler, Angela; Benschoff, Adam L.; Brogan, Thomas P.; Clearfield, Daniel; DeBroff, Scott H.; Dibble, Jaime S.; Eckenrod, Robert; Evrard, David T.; Forshay, Paul F.; Gang, Michael W.; Goldenberg, Steven S.; Gray, Steven; Harris, Jerry C. Jr.; Jack, Gary A.; Jobes, Theodore H.; Jugovic, George Jr.; Kanagy, Anthony D.; Knipe, Brian J.; Lawrence, Darryl; MacGregor, David B.; McCaffrey, John E.; McClisloskey, Tanya J.; Moody, Kevin J.; Polacek, Pamela C.; Reiter, Harvey L.; Rhodes, Gregory; Royer, Jennifer; Rubin, Scott; Sacks, Stuart S.; Sawyer, Geoffrey A. III; Selecky, J. T.; Shields, Charles Daniel; Vullo, Joseph L.; Webb, Sharon  
**Subject:** RE: Docket # R00061346; Duquesne Light and the PUC; ex parte communication  
**Attachments:** Duquesne Light PUC Letter.doc



Duquesne Light  
PUC Letter.doc ...

Mr. Barker,

I received a hard copy of the letter you attached to your email when I returned to my office this morning. I was out of the office on July 13 and 14. The letter, from four members of the Allegheny County Council, addresses an issue, establishment of a fund to support renewable energy resources, I will decide in the Duquesne Light Company base rate proceeding. The Duquesne Light Company base rate case is a contested on-the-record proceeding. The letter, therefore, is an ex parte communication within the meaning of Section 334(c) of the Public Utility Code, 66 Pa. C.S. §334(c), which provides as follows:

(c) EX PARTE COMMUNICATIONS.-- Ex parte communications prohibited in this section shall mean any off-the-record communications to or by any member of the commission, administrative law judge, or employee of the commission, regarding the merits or any fact in issue of any matter pending before the commission in any contested on-the-record proceeding. Contested on-the-record proceeding means a proceeding required by a statute, constitution, published commission rule or regulation or order in a particular case, to be decided on the basis of the record of a commission hearing, and in which a protest or a petition or notice to intervene in opposition to requested commission action has been filed. This subsection does not prohibit off-the-record communications to or by any employee of the commission prior to the actual beginning of hearings in a contested on-the-record proceeding when such communications are solely for the purpose of seeking clarification of or corrections in evidentiary materials intended for use in the subsequent hearings.

Commission policies require that I send a copy of the letter to the Secretary of the Commission, the Chief Administrative Law Judge, the Office of Administrative Law Judge Legal Division Supervisor and all parties to the case. This is time consuming and expensive, given the extensive service list in this proceeding. To save time and expense, I have attached an electronic copy of the letter to the previously referenced individuals and will not send a hard copy unless requested. The only exception to this is the Secretary of the Commission, to whom I will send the original you sent me for inclusion in the case correspondence folder.

You can tell from this email and the steps which must be taken upon receipt of an ex parte communication that receipt of the letter has initiated a burdensome process. In addition, the letter has no evidentiary value. If introduced at the hearings to be held in this case, it would be objected to as classic hearsay and not admitted into the record. I have read only enough of the letter to identify it as an ex parte communication and will not consider it at all in my decision.

In the future please refrain from sending ex parte communications in this case or any other contested proceedings before the Commission. I trust you will pass this on to the council members who signed the ex parte communications and all other members of council.

Judge Gesoff

-----Original Message-----

From: Barker, Jared [mailto:JBarker@county.allegheny.pa.us]  
Sent: Thursday, July 13, 2006 12:44 PM  
To: 'lgesoff@state.pa.us'  
Subject: Docket # R00061346; Duquesne Light and the PUC  
Importance: High

Judge Gesoff:

Council President Rich Fitzgerald, along with Council Members Jim Burn, Joan Cleary, and William Robinson have asked that I forward the attached comment for your review. Although a hard copy will be forwarded by regular mail, I am also e-mailing the attached version so that it will definitively arrive in your office before this afternoon's deadline. If you or your staff should have any questions or require any additional information, please feel free to call or e-mail. Thank you!

Jared E. Barker  
Director of Legislative Services  
Allegheny County Council  
(412) 350-6523



# WILLIAM PEDUTO



COUNCILMAN, CITY OF PITTSBURGH

COMMITTEE ON GENERAL SERVICES, TECHNOLOGY AND THE ARTS, CHAIR

July 13, 2006



DOCUMENT  
FOLDER

Judge Larry Gesoff  
1103 Pittsburgh State Office Building  
300 Liberty Avenue  
Pittsburgh, PA 15222

Re: Docket #R00061346

Dear Judge Gesoff:

As you are aware, Duquesne Light Company has asked the Pennsylvania Utilities Commission (PUC) for a rate increase. As a condition of the rate increase, I urge the PUC to require Duquesne Light to create a Sustainable Energy Fund. Across Pennsylvania, the four other major electricity suppliers have allocated funds to sustainable energy since 1998, and it is important that Southwestern Pennsylvania now invest in renewable energy projects.

The growth of renewable energy will create new jobs in the region, less pollution, and lower electricity prices over time. In order to achieve these gains, Duquesne Light should create a fund to provide grants to individuals, businesses, and municipalities or counties to develop critical renewable energy projects.

I urge the PUC to require Duquesne Light to match the investment in sustainable energy that is now prevalent across the country. By doing so, the PUC will protect consumers across the service region both through lower electricity costs and environmental protection.

Sincerely,

William Peduto  
Member, Pittsburgh City Council

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JUL 20 2006

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

RECEIVED

JUL 18 2006

Pittsburgh Office of A.L.D.  
Public Utility Commission

Pittsburgh City Council - District 8  
510 City-County Building • Pittsburgh, Pennsylvania 15219  
412.255.2133 • 412. 255.0738 (Fax)  
[www.city.pittsburgh.pa.us](http://www.city.pittsburgh.pa.us)



# SMIGEL, ANDERSON

**& SACKS** LLP  
ATTORNEYS AT LAW

# ORIGINAL

July 20, 2006

SCOTT H. DeBROFF, ESQUIRE

PHONE: (717) 234-2401

TOLL FREE: 1-800-822-9757

FACSIMILE (717) 234-3611

EMAIL: [sdebrott@sasllp.com](mailto:sdebrott@sasllp.com)

[www.sasllp.com](http://www.sasllp.com)

File No.  
9006--2-3

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

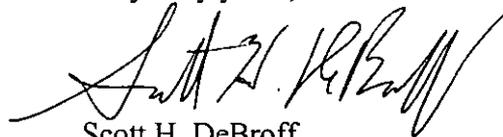
**Re: Pennsylvania Public Utility Commission**  
**v.**  
**Duquesne Light Company**  
**Docket No. R-00061346**

## DOCUMENT FOLDER

Dear Mr. McNulty:

Enclosed please find the Certificate of Service for the Response of Wal-Mart Stores East, L.P. to the Interrogatories of Duquesne Industrial Intervenors - Set 1, in the above-referenced proceeding.

Very truly yours,



Scott H. DeBroff

SHD/cnm  
Enclosures

RECEIVED  
2006 JUL 24 AM 9:34  
SECRETARY'S BUREAU

**BEFORE THE  
PUBLIC UTILITY COMMISSION OF THE COMMONWEALTH OF  
PENNSYLVANIA**

**PENNSYLVANIA PUBLIC UTILITY  
COMMISSION**

**DOCKET NO. R-00061346**

v.

**DUQUESNE LIGHT COMPANY**

---

**CERTIFICATE OF SERVICE**

---

I hereby certify that a true and correct copy of the foregoing document has been served upon the following persons, in the manner indicated, in accordance with the requirements of § 1.54 (relating to service by a participant) in **Docket No. R-00061346**, this day on all parties of record in this proceeding or their attorneys of record:

Michael Gang, Esquire  
Anthony D. Kanagy, Esquire  
Post & Schell, P.C.  
17 North Second Street, 12<sup>th</sup> Floor  
Harrisburg, PA 17101-1601

David MacGregor, Esquire  
Post & Schell, P.C.  
Four Penn Centre  
1600 John F. Kennedy Blvd.  
Philadelphia, PA 19103-2808

Gary Jack, Esquire  
Duquesne Light Company  
411 Seventh Avenue, 16-2  
Pittsburgh, PA 15219

Charles Daniel Shields, Esquire  
Robert V. Eckenrod, Esquire  
Office of Trial Staff  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2nd Floor West  
Harrisburg, PA 17105-3265

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

SECRETARY'S BUREAU

2006 JUL 24 AM 9:34

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Jaime S. Dibble, Esquire  
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Daniel Clearfield, Esquire  
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Harrisburg, PA 17108-0865

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Community Action Association of PA  
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P.O. Box 1127  
Wilkes-Barre, PA 18703-1127

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Jerry C. Harris, Jr., Esquire  
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Fox Rothschild, LLP  
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Gregory Rhodes  
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Pittsburgh, PA 15219

Theodore H. Jobes, Esquire  
Fox Rothschild LLP  
2000 Market Street  
Philadelphia, PA 19103

Ms. Angela Beehler  
Director, Energy Regulation  
Wal-Mart Stores East, LP  
Sam W. Walton Development Complex  
Bentonville, AR 72716-0550

**Via Email Only**

Roger Colton  
[rcolton.fsc@comcast.net](mailto:rcolton.fsc@comcast.net)

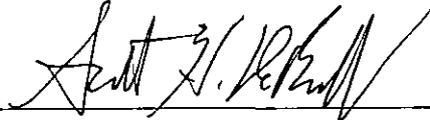
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[rgalligan@exeterassociates.com](mailto:rgalligan@exeterassociates.com)

Brian Kalcic  
[bkalcic@mindspring.com](mailto:bkalcic@mindspring.com)

Jim Selecky  
[jgselecty@consultbai.com](mailto:jgselecty@consultbai.com)

Dated: July 20, 2006

Respectfully submitted,

By: 

**Scott H. DeBroff, Esq.**  
**Stuart S. Sacks, Esq.**  
Smigel, Anderson & Sacks  
River Chase Office Center  
4431 North Front Street  
Harrisburg, PA 17110

Tel: (717) 234-2401  
Fax: (717) 234-3611  
eMail: [sdebloff@sasllp.com](mailto:sdebloff@sasllp.com)  
**Counsel for Wal-Mart Corporation**

# OALJ Hearing Report

Please Check Those Blocks Which Apply

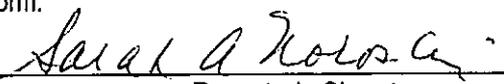
|  |  |                         |                                     |                                     |
|--|--|-------------------------|-------------------------------------|-------------------------------------|
| Docket No.:  | R-00061346; R-00061346C0001, 2, 5 & 7                                  | Prehearing Held:        | <input type="checkbox"/>            | <input type="checkbox"/>            |
| Case Name:   | Pennsylvania Public Utility Commission<br>v.<br>Duquesne Light Company | Hearing Held:           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
|  |  | Testimony Taken:        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
|  |  | Transcript Due:         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
|  |  | Hearing Concluded:      | <input type="checkbox"/>            | <input type="checkbox"/>            |
| Location:  | Shaler Villa Volunteer Fire Company, Pgh., PA                          | Further Hearing Needed: | <input type="checkbox"/>            | <input type="checkbox"/>            |
|  |  | Estimated Add'l Days:   |                                     |                                     |
| Date:  | July 13, 2006, 10:00 a.m.  | RECORD CLOSED:          | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| ALJ:   | Larry Gesoff   | DATE:                   |                                     |                                     |
|  |  | Briefs to be Filed:     | <input type="checkbox"/>            | <input type="checkbox"/>            |
| Reporting Firm:  | Commonwealth Reporting   | DATE:                   |                                     |                                     |
| <div style="display: flex; justify-content: space-around;"> <div style="text-align: center;"> <p><b>RECEIVED</b></p> <p><u>JUL 25 2006</u></p> <p>PA PUBLIC UTILITY COMMISSION<br/>SECRETARY'S BUREAU</p> </div> <div style="text-align: center;"> <p><b>DOCUMENT<br/>FOLDER</b></p> </div> </div> |  | Bench Decision:         | <input type="checkbox"/>            | <input type="checkbox"/>            |
|  |  | REMARKS:                | <p>Public Input</p> <p>Hearing</p>  |                                     |
|  |  |                         |                                     |                                     |
|  |  |                         |                                     |                                     |

PLEASE PRINT CLEARLY - Incomplete Information may result in delay of processing.

| Name and Telephone Number | Address   | Who are you representing?                          |
|---------------------------|---|--|
| Gary Jack                 | 411 Seventh Avenue, 16-2<br><br>City: Pittsburgh      State: PA      Zip: 15219   | Duquesne Light Company                             |
| Telephone:                | E-mail Address:   | Fax Number:  |
| David MacGregor           | Post & Schell, P.C.<br>Four Penn Centre<br>1600 John F. Kennedy Blvd.<br><br>City: Philadelphia      State: PA      Zip: 19103-2808 | Duquesne Light Company                             |
| Telephone:                | E-mail Address:   | Fax Number:  |
| Robert V. Eckenrod        | P.O. Box 3265<br><br>City: Harrisburg      State: PA      Zip: 17105-3265   | Public Utility Commission<br>Office of Trial Staff |
| Telephone: 717-783-6155   | E-mail Address: roeckennod@state.pa.us  | Fax Number: 717-783-3458                           |

Check this box if additional parties or attendees appear on back of form.

*elp.*

  
 Reporter's Signature

**Note: Completion of this form does not constitute an entry of appearance, see 52 Pa. Code §§1.24 and 1.25.**

| Name and Telephone Number | Address  |             |                   | Who are you representing?  |
|---------------------------|--|-------------|-------------------|--|
| David T. Evrard           | Forum Place, 5th Floor<br>555 Walnut Street              |             |                   | Office of Consumer Advocate  |
| Telephone: 717-783-5048   | City<br>Harrisburg                                       | State<br>PA | Zip<br>17101-1923 | Fax Number: 717-783-7152   |
| Sharon E. Webb            | Suite 1102, Commerce Building<br>300 North Second Street |             |                   | Office of Small Business<br>Advocate                                 |
| Telephone: 717-783-2525   | City<br>Harrisburg                                       | State<br>PA | Zip<br>17101      | E-mail Address: <i>sevrard@paoca.org</i><br>Fax Number: 717-783-2831 |
|                           |  |             |                   |  |
| Telephone:                | City   | State       | Zip               | E-mail Address:  |
|                           |  |             |                   | Fax Number:  |
| Telephone:                | City   | State       | Zip               | E-mail Address:  |
|                           |  |             |                   | Fax Number:  |
| Telephone:                | City   | State       | Zip               | E-mail Address:  |
|                           |  |             |                   | Fax Number:  |
| Telephone:                | City   | State       | Zip               | E-mail Address:  |
|                           |  |             |                   | Fax Number:  |
| Telephone:                | City   | State       | Zip               | E-mail Address:  |
|                           |  |             |                   | Fax Number:  |
| Telephone:                | City   | State       | Zip               | E-mail Address:  |

*Note: Completion of this form does not constitute an entry of appearance, see 52 Pa. Code §§1.24 and 1.25.*

# OALJ Hearing Report

Please Check Those Blocks Which Apply

|                 |  |                         |                                     |                                     |
|-----------------|--|-------------------------|-------------------------------------|-------------------------------------|
| Docket No.:     | R-00061346; R-00061346C0001, 2, 5 & 7    |                         | YES                                 | NO                                  |
|                 |  | Prehearing Held:        | <input type="checkbox"/>            | <input type="checkbox"/>            |
| Case Name:      | Pennsylvania Public Utility Commission   | Hearing Held:           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
|                 | v.                                       | Testimony Taken:        | <input type="checkbox"/>            | <input type="checkbox"/>            |
|                 | Duquesne Light Company                   | Transcript Due:         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
|                 |  | Hearing Concluded:      | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| Location:       | Castle Shannon Fire Department, Pgh., PA | Further Hearing Needed: | <input type="checkbox"/>            | <input type="checkbox"/>            |
|                 |  | Estimated Add'l Days:   |                                     |                                     |
| Date:           | July 13, 2006, 2:00 p.m.                 |                         |                                     |                                     |
|                 |  | RECORD CLOSED:          | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| ALJ:            | Larry Gesoff                             | DATE:                   |                                     |                                     |
|                 |  | Briefs to be Filed:     | <input type="checkbox"/>            | <input type="checkbox"/>            |
| Reporting Firm: | Commonwealth Reporting                   | DATE:                   |                                     |                                     |
|                 |  | Bench Decision:         | <input type="checkbox"/>            | <input type="checkbox"/>            |
|                 |  | REMARKS:                | Public Input                        |                                     |
|                 |  |                         | Hear me                             |                                     |

**RECEIVED**

JUL 25 2006

DOCUMENT FOLDER

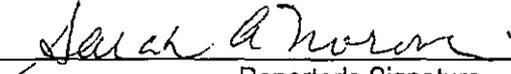
PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

PLEASE PRINT CLEARLY - Incomplete Information may result in delay of processing.

| Name and Telephone Number | Address   | Who are you representing?                          |      |       |     |              |
|---------------------------|---|--|------|-------|-----|--------------|
| Gary Jack                 | 411 Seventh Avenue, 16-2  | Duquesne Light Company                             |      |       |     |              |
|                           | <table style="width: 100%; border: none;"> <tr> <td style="font-size: 0.8em;">City</td> <td style="font-size: 0.8em;">State</td> <td style="font-size: 0.8em;">Zip</td> </tr> <tr> <td style="text-align: center;">Pittsburgh</td> <td style="text-align: center;">PA</td> <td style="text-align: center;">15219</td> </tr> </table>        |  | City | State | Zip | Pittsburgh   |
| City                      | State   | Zip  |      |       |     |              |
| Pittsburgh                | PA  | 15219  |      |       |     |              |
| Telephone:                | E-mail Address:   | Fax Number:  |      |       |     |              |
| David MacGregor           | Post & Schell, P.C.<br>Four Penn Centre<br>1600 John F. Kennedy Blvd.   | Duquesne Light Company                             |      |       |     |              |
|                           | <table style="width: 100%; border: none;"> <tr> <td style="font-size: 0.8em;">City</td> <td style="font-size: 0.8em;">State</td> <td style="font-size: 0.8em;">Zip</td> </tr> <tr> <td style="text-align: center;">Philadelphia</td> <td style="text-align: center;">PA</td> <td style="text-align: center;">19103-2808</td> </tr> </table> |  | City | State | Zip | Philadelphia |
| City                      | State   | Zip  |      |       |     |              |
| Philadelphia              | PA  | 19103-2808   |      |       |     |              |
| Telephone:                | E-mail Address:   | Fax Number:  |      |       |     |              |
| Robert V. Eckenrod        | P.O. Box 3265   | Public Utility Commission<br>Office of Trial Staff |      |       |     |              |
|                           | <table style="width: 100%; border: none;"> <tr> <td style="font-size: 0.8em;">City</td> <td style="font-size: 0.8em;">State</td> <td style="font-size: 0.8em;">Zip</td> </tr> <tr> <td style="text-align: center;">Harrisburg</td> <td style="text-align: center;">PA</td> <td style="text-align: center;">17105-3265</td> </tr> </table>   |  | City | State | Zip | Harrisburg   |
| City                      | State   | Zip  |      |       |     |              |
| Harrisburg                | PA  | 17105-3265   |      |       |     |              |
| Telephone: 717-783-6155   | E-mail Address: rdecenrod@state.pa.us   | Fax Number: 717-783-3458                           |      |       |     |              |

Check this box if additional parties or attendees appear on back of form.

*elp.*

  
 Reporter's Signature

*Note: Completion of this form does not constitute an entry of appearance, see 52 Pa. Code §§1.24 and 1.25.*

| Name and Telephone Number | Address  |             |                   | Who are you representing?         |
|---------------------------|--|-------------|-------------------|-----------------------------------|
| David T. Evrard           | Forum Place, 5th Floor<br>555 Walnut Street              |             |                   | Office of Consumer Advocate       |
|                           | City<br>Harrisburg                                       | State<br>PA | Zip<br>17101-1923 |                                   |
| Telephone: 717-783-5048   | E-mail Address: devrard@paoca.org                        |             |                   | Fax Number: 717-783-7152          |
| Sharon E. Webb            | Suite 1102, Commerce Building<br>300 North Second Street |             |                   | Office of Small Business Advocate |
|                           | City<br>Harrisburg                                       | State<br>PA | Zip<br>17101      |                                   |
| Telephone: 717-783-2525   | E-mail Address: swebb@state.pa.us                        |             |                   | Fax Number: 717-783-2831          |
|                           | City   | State       | Zip               |                                   |
| Telephone:                | E-mail Address:  |             |                   | Fax Number:                       |
|                           | City   | State       | Zip               |                                   |
| Telephone:                | E-mail Address:  |             |                   | Fax Number:                       |
|                           | City   | State       | Zip               |                                   |
| Telephone:                | E-mail Address:  |             |                   | Fax Number:                       |
|                           | City   | State       | Zip               |                                   |
| Telephone:                | E-mail Address:  |             |                   | Fax Number:                       |
|                           | City   | State       | Zip               |                                   |
| Telephone:                | E-mail Address:  |             |                   | Fax Number:                       |
|                           | City   | State       | Zip               |                                   |
| Telephone:                | E-mail Address:  |             |                   | Fax Number:                       |
|                           | City   | State       | Zip               |                                   |

*Note: Completion of this form does not constitute an entry of appearance, see 52 Pa. Code §§1.24 and 1.25.*

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  
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ORIGINAL

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SECRETARY'S BUREAU

July 21, 2006

VIA E-MAIL AND FIRST CLASS MAIL

Gary Jack, Esq.  
Duquesne Light Company  
411 Seventh Ave., 16-2  
Pittsburgh, PA 15219

Re: PA Public Utility Commission v. Duquesne Light  
Company, Docket No. R-00061346

Dear Mr. Jack:

On behalf of Direct Energy Services, LLC, enclosed please find its Responses to Duquesne Light Company's Interrogatories and Requests for Production of Documents, Set I, in the above-referenced matter.

Very truly yours,



Kevin J. Moody

For WOLF, BLOCK, SCHORR and SOLIS-COHEN LLP

KJM/lww  
Enclosure

cc: Cert. of Service w/enc.

HAR:67224.1/DIR023-236775

## CERTIFICATE OF SERVICE

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

### VIA E-MAIL & FIRST CLASS MAIL

Michael Gang, Esq.  
Anthony D. Kanagy, Esq.  
Post & Schell, P.C.  
17 North Second St., 12<sup>th</sup> Fl.  
Harrisburg, PA 17101-1601

David MacGregor, Esq.  
Post & Schell, P.C.  
Four Penn Centre  
1600 John F. Kennedy Blvd.  
Philadelphia, PA 19103-2808

Gary Jack, Esq.  
Duquesne Light Company  
411 Seventh Ave., 16-2  
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Robert V. Eckenrod, Esq.  
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Pittsburgh, PA 15291

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2009 JUL 25 AM 9:03  
SECRETARY OF REVENUE

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Forty Fort, PA 18704

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Washington, D.C. 20004-2415

Steven S. Goldenberg, Esquire  
Fox Rothschild LLP  
997 Lenox Drive Building 3  
Lawrenceville, NJ 08648-2311

  
\_\_\_\_\_  
Kevin J. Moody, Esq.

Dated: July 21, 2006

CERTIFICATE OF SERVICE

DOCUMENT  
FOLDER

Pennsylvania Public Utility Commission

v.

Duquesne Light Company

:  
:  
:  
:  
:

Docket No. R-00061346

I hereby certify that I have this day served a true copy of the foregoing document, the Responses of the Office of Consumer Advocate to the Interrogatories of Duquesne Industrial Intervenors, Set I, number 3, 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 21<sup>st</sup> day of July 2006.

SERVICE BY E-MAIL and INTEROFFICE MAIL

Charles Shields, Esquire  
Robert Eckenrod, Esquire  
Office of Trial Staff  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street  
Harrisburg, PA 17105-3265

By e-mail only: Charles T. Weakley at cweakley@state.pa.us; Michael Gruber at mgruber@state.pa.us; Janet Markovich at jmarkovich@state.pa.us ; Antonio Maceo at amaceo@state.pa.us and Robert Plonski at rplonski@state.pa.us.

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2006 JUL 21 PM 3:57  
PA PUC  
SECRETARY'S BUREAU

SERVICE BY E-MAIL and FIRST CLASS MAIL

Gary A. Jack  
Duquesne Light Company  
41 1 Seventh Avenue,  
Mail Drop 8-2  
Pittsburgh, PA 152 19  
For: *Duquesne Light Company*

Michael W. Gang, Esquire  
Post & Schell, P.C.  
12th Floor  
17 North Second Street  
Harrisburg, PA 17 101 -1 601  
Counsel For: *Duquesne Light Company*

David B. MacGregor, Esquire  
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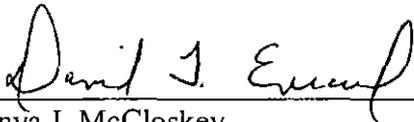
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COMMONWEALTH OF PENNSYLVANIA  
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IN REPLY PLEASE  
REFER TO OUR FILE

July 24, 2006

Mr. Charles E. Swintek  
21 Windvale Drive  
Pittsburgh, PA 15236

DOCUMENT  
FOLDER

Re: Pennsylvania Public Utility Commission v. Duquesne Light Company  
Docket Number R-00061346 and associated Complaints

Dear Mr. Swintek:

I am the Administrative Law Judge assigned by the Public Utility Commission to preside in the above-referenced case.

By virtue of the formal Complaint you filed in this general rate increase case, you have been added to the service list as a party.

I am enclosing a copy of the prehearing order dated May 12 which sets forth the entire schedule for proceedings in the case.

As a party you will be expected to serve written testimony, participate in discovery, attend and present evidence at the hearing in Harrisburg, and file both a Main and Reply Brief. Additionally, you will receive all documents served by the other parties and all notices, orders and letters from the Pennsylvania Public Utility Commission issued in connection with this case.

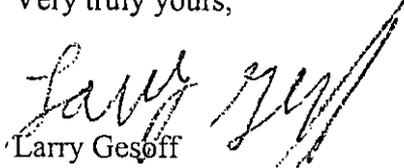
If it was not your intent to participate in this case to the full extent expected of a party, you can:

1. advise me, in writing, that you want to withdraw your formal Complaint and you will be removed from the parties' service list. If you withdraw your formal Complaint, you may appear and testify at one of the scheduled Public Input Hearing sessions;

or,

2. you can contact the company's attorney, Michael W. Gang, Esquire, at (717) 731-1970 and authorize him to file a Certificate of Satisfaction with respect to your formal Complaint.

Very truly yours,

  
Larry Gesoff  
Administrative Law Judge

cc: Service List  
New Filing

SERVICE LIST: R-00061346

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CERTIFICATE OF SERVICE

DOCUMENT FOLDER

Pennsylvania Public Utility Commission

v.

Duquesne Light Company

:  
:  
:  
:  
:

Docket No. R-00061346

I hereby certify that I have this day served a true copy of the foregoing document, the Responses of the Office of Consumer Advocate to the Interrogatories of Duquesne Light Company Interrogatories Set IV, number 8, 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 25<sup>th</sup> day of July 2006.

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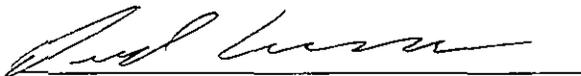
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