

CAPTION SHEET

BASE MANAGEMENT SYSTEM

1. REPORT DATE: 00/00/00 :  
 2. BUREAU: FUS :  
 3. SECTION(S): : 4. PUBLIC MEETING DATE:  
 5. APPROVED BY: : 00/00/00  
 DIRECTOR: :  
 SUPERVISOR: :  
 6. PERSON IN CHARGE: : 7. DATE FILED: 05/20/05  
 8. DOCKET NO: R-00050595 : 9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: PUC

RESPONDENT/APPLICANT: DUQUESNE LIGHT COMPANY

COMP/APP COUNTY:

UTILITY CODE: 110150

ALLEGATION OR SUBJECT

DUQUESNE LIGHT COMPANY FILED ITS QUARTERLY UPDATED RETAIL RATES FOR ITS FIXED PRICE PROVIDER OF LAST RESORT SERVICE TO ITS LARGE COMMERCIAL AND INDUSTRIAL CUSTOMERS TO BE EFFECTIVE JUNE 1, 2005. (SEE ALSO P-00032071 FOR DUQUESNE'S ORIGINAL REQUEST FOR PLAN OF APPROVAL FOR POST-TRANSITION PERIOD POLR SERVICE, R-00049887 FOR DUQUESNE'S FIRST QUARTER UPDATE, AND R-00050241 FOR DUQUESNE'S SECOND QUARTER UPDATE.)

**DOCKETED**

MAY 24 2005

DOCUMENT  
FOLDER



**Duquesne Light**

*Our Energy... Your Power*

**Richard S. Herskovitz**  
Assistant General Counsel

411 Seventh Avenue  
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R-00050595

May 20, 2005

VIA OVERNIGHT MAIL

Mr. James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2<sup>nd</sup> Floor  
Harrisburg, PA 17120

RECEIVED

MAY 20 2005

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

**Re: Petition of Duquesne Light Company for  
Approval of Plan for Post-Transition  
Period POLR Service  
Docket No. ~~P-00032071~~**

DOCUMENT  
FOLDER

Dear Secretary McNulty:

Enclosed for Public Utility Commission ("Commission") approval are an original and three copies of Duquesne Light Company's ("Duquesne's") quarterly updated retail rates for fixed price ("FPS") provider of last resort ("POLR") service to its large commercial and industrial customers ("Large C&I Customers") to be effective June 1, 2005. Pursuant to the Commission's Order entered in this proceeding on October 1, 2004 ("the Compliance Order"), Duquesne is required to submit for approval the results of refreshed energy price bids, and the retail rates resulting from those bids, from the suppliers providing the energy for Duquesne's FPS POLR service to its Large C&I Customers. The energy price bids and resulting retail rates were to be updated on February 1, 2005, then each quarter thereafter beginning on June 1, 2005. The enclosed retail rates are available for customers electing FPS POLR service during the Third Price Application Period as defined in Rider No. 8 of the retail tariff.

It is important to note that if the retail rates filed herein for the quarter beginning June 1, 2005 are not approved by the Commission by Secretarial Letter entered on or before Wednesday, May 25, 2005, these binding firm offers by the winning suppliers will terminate and no new FPS service will be available for customers that elect POLR service during that quarter.

Consistent with the Commission's Compliance Order at pages 42-43, Duquesne requests that the Secretary treat Schedule 3 of this filing as proprietary and confidential and place it in a confidential file not subject to public inspection. Duquesne has provided three copies of this schedule in a sealed envelope to be placed in a non-public file.

Page 2

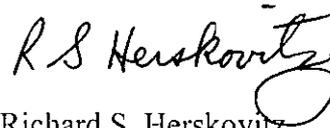
Mr. James J. McNulty, Secretary

May 20, 2005

Complete copies of this filing have been provided to the Commission staff and non-proprietary copies have been provided to the parties to this proceeding as indicated on the enclosed Certificate of Service.

Please contact me if you have any questions.

Very truly yours,

A handwritten signature in black ink, appearing to read "R S Herskovitz". The signature is written in a cursive style with a large, looping flourish at the end.

Richard S. Herskovitz

Enclosures

- c: Wendell F. Holland, Chairman (w/Enclosures)
- Robert K. Bloom, Vice Chairman (w/Enclosures)
- Kim Pizzigrilli, Commissioner (w/Enclosures)
- Karen Oill Moury, Esquire (w/Enclosures)
- Robert Rosenthal (w/Enclosures)
- Robert J. Bennett (w/Enclosures)
- Service List (w/Enclosures)

**ATTACHMENTS CONTAIN  
PROPRIETARY AND CONFIDENTIAL INFORMATION**

**\*\*\* DO NOT RELEASE \*\*\***

**RECEIVED**

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION    MAY 20 2005**

**PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU**

Petition of Duquesne Light Company                    )  
for Approval of Its Plan for Post-Transition        )  
Period Provider of Last Resort Service.            )

Docket No. ~~P-00032077~~

*R-00050595*

**REQUEST FOR APPROVAL OF REFRESHED POLR  
RATES FOR LARGE C&I CUSTOMERS**

**DOCUMENT  
FOLDER**

**I.    BACKGROUND**

On October 19, 2004, pursuant to Orders entered in this proceeding on August 23, 2004, and on October 1, 2004 ("the First Compliance Order"), Duquesne Light Company ("Duquesne") submitted for Public Utility Commission ("Commission") approval the results of its request for proposals ("RFP"), and the retail rates resulting from the RFP, to implement its provider of last resort ("POLR") service for large Commercial & Industrial customers ("Large C&I Customers") receiving fixed price service ("FPS") to be effective January 1, 2005 ("POLR III"). Duquesne had received bids from six suppliers, selected two suppliers as winners of the RFP, and executed FPS Agreements with each winning supplier, contingent on Commission approval of the retail rates resulting from the RFP on or before October 22, 2004. These retail rates were approved by the ~~Docket No. R-00049887~~ Secretarial Letter dated October 22, 2004 at Docket No. R-00049887.

**DOCKETED**

**MAY 24 2005**

Under the Large C&I Customer plan, after January 31, 2005, customers served by electric generation suppliers ("EGSs") and those receiving hourly price service ("HPS") from Duquesne may elect FPS ("New FPS Customers") at updated retail rates then in effect subject to the switching protocols in the Retail Tariff and subject to any existing

obligations in their EGS contract. Under the FPS Agreements executed between Duquesne and the two winning suppliers, each winning supplier is required to bid a single, refreshed energy price (in cents per kWh) each quarter to supply the load for the remainder of the Supply Period<sup>1</sup> for New FPS Customers electing FPS during the upcoming quarter.<sup>2</sup>

Pursuant to the Compliance Order (at 38), the refreshed energy price bids must be applicable to the same or a greater percentage of initial FPS customer load that the supplier is serving as a result of the RFP. The suppliers with the lowest of these bid prices will be selected each quarter to serve a percentage of New FPS Customer load that is determined by Duquesne, subject to the maximum percentage share of such load that each selected supplier is willing to serve. The bid prices will be translated to on-peak and off-peak energy payments for the winning supplier(s) and updated retail rates for customers that elect FPS during the upcoming quarter in accordance with the same methodology used in the approved RFP Guidelines.

## **II. APPROVALS REQUESTED IN THIS PETITION**

As explained infra, Duquesne is requesting Commission approval of the following by Secretarial Letter within three (3) working days.

### **A. Refreshed Rates**

As required by the FPS Agreements between the winning suppliers and Duquesne, each supplier submitted to Duquesne refreshed energy price bids on May 20,

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<sup>1</sup> The updated FPS price and service will extend through May 31, 2006.

<sup>2</sup> Each quarter, winning suppliers will be required to bid a single updated energy price on the 15<sup>th</sup> business day of the month preceding the start of a price application period described in Exhibit F to the FPS Agreement. If selected, a supplier's bid price would be used to establish retail rates to become effective on the 1<sup>st</sup> day of the following calendar month for all New FPS Customers that elect FPS service during the upcoming quarter.

2005 for new FPS customers who elect service between June 1, 2005 and August 31, 2005.

Duquesne translated the refreshed bid prices into retail rates in accordance with the RFP guidelines approved in the First Compliance Order<sup>3</sup>. Confidential Schedule 3, attached, shows the minimum percentage each supplier was required to bid per the results of the RFP, the actual bid percentage, and the energy prices bid for new FPS customers. For purposes of obtaining the refreshed prices, and in accordance with the RFP guidelines, the fixed capacity payment remained the same at \$28.68 per MW-day, and the associated retail Demand Charge remained the same at \$0.0305 per kW-day. The bid prices were selected based on the lowest price bid and multiplied by predetermined on-peak and off-peak adjustment factors to establish the supplier payments for on-peak and off-peak energy. The supplier energy payments were then adjusted for line losses, retail adders, PJM Surcharge and Pennsylvania gross receipts tax (GRT) using the same formulas in Duquesne's October 19, 2004 RFP filing. The resultant retail energy rates for the Third Price Application Period are shown in Rider No. 8, Fixed Price Service, attached as Schedule 1.

Pursuant to the First Compliance Order (at 71), Duquesne is requesting Commission approval of the updated FPS rates by Secretarial Letter within 3 working days.<sup>4</sup> Duquesne also requests the Commission to waive the 60-day notice requirement of Section 1308(a) of the Public Utility Code, 66 Pa. C.S. § 1308(a), for these updated

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<sup>3</sup> The Commission approved the RFP Guidelines with modifications in the First Compliance Order. A copy of the approved RFP Guidelines was filed as Attachment A to Schedule 2 of Duquesne's October 19, 2004 RFP Compliance Filing.

<sup>4</sup> If the Commission fails to make such approval within such time, binding firm offers by winning suppliers will terminate, and no new FPS service will be available for customers that elect POLR service during that quarter.

rates since the approved RFP procedure cannot provide the required 60-day notice to the Commission before the rates are to go into effect.

**B. Confidential and Proprietary Nature of Attached Schedule 3**

To facilitate Commission review of the refreshed energy price bid results, the bidder names and bid prices are provided in Schedule 3. Consistent with the Compliance Order (at 42-43), Duquesne requests that the Secretary treat Schedule 3 as proprietary and confidential, and place it in a confidential file not subject to public inspection. Duquesne requests that the Commission maintain the confidentiality of this information, and make public only the final blended retail rates that are shown in Duquesne's retail tariff in Rider No. 8, Fixed Price Service (Schedule 1).<sup>5</sup>

**C. Affidavit in Support of This Filing**

As attested to in the Affidavit of Maureen L. Hogel, Duquesne's Senior Vice President, Chief Legal and Administrative Officer, the refreshed energy price bidding was conducted in accordance with the approved RFP Guidelines identified as Exhibit B to Duquesne's September 1, 2004 compliance filing, as amended by the Commission's First Order on Compliance. See Schedule 2 attached.

**D. Service of Secretarial Letter Notifying Duquesne of Commission Action on this Filing**

Duquesne requests that the Secretarial Letter reflecting the Commission's action on this compliance filing be served in both electronic and paper versions upon the

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<sup>5</sup> Duquesne requests that Schedule 3 of this filing remain confidential for a minimum period of at least 90 days from the effective date of the refreshed rates (until August 31, 2005). Duquesne intends to keep this information confidential in order to provide suppliers with an opportunity to hedge their supply obligations in the market.

following Duquesne representatives:

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ddelaney@kl.com

### **III. CONCLUSION**

Duquesne respectfully requests that the Commission issue by close of business on May 25, 2005, a Secretarial Letter that:

1. Concludes that the refreshed RFP was conducted in accordance with the approved RFP Guidelines;
2. Approves the resulting retail rates set forth in Schedule 1;

3. Allows the rates identified in Schedule 1 to become effective June 1, 2005; and

4. Grants whatever additional relief is just and reasonable under the circumstances.

Respectfully submitted,

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Daniel P. Delaney

Dated: May 20, 2005

Counsel for Duquesne Light Company

## ATTACHMENTS

- Schedule 1 Retail Tariff, Rider No. 8, Fixed Price Service
- Schedule 2 Affidavit of Maureen L. Hogel
- Schedule 3 Bid Translation into Retail Rates (**CONFIDENTIAL**)

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

DUQUESNE LIGHT COMPANY :  
Petition for Approval of Plan for Post- : Docket No. P-00032071  
Transition Period POLR Service. :

**SCHEDULE 1**

Retail Tariff, Rider No. 8, Fixed Price Service

SUPPLEMENT NO. 26  
TO ELECTRIC – PA. P.U.C. NO. 23

DUQUESNE LIGHT COMPANY  
**SCHEDULE OF RATES**

For Electric Service in Allegheny and Beaver Counties

(For List of Communities Served, see Page No. 4)

Issued By

**DUQUESNE LIGHT COMPANY**

411 Seventh Avenue  
Pittsburgh, PA 15219

**Morgan K. O'Brien**  
**President and Chief Executive Officer**

ISSUED: May 20, 2005

EFFECTIVE: June 1, 2005

Issued in compliance with Commission Orders dated  
August 23, 2004, and October 1, 2004, at P-00032071.

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**NOTICE**

**THIS TARIFF SUPPLEMENT CHANGES AN EXISTING RIDER**

See Page Two

**LIST OF MODIFICATIONS MADE BY THIS TARIFF**

CHANGES

Rider No. 8 – Fixed Price Service

Third Revised Page No. 94  
Cancelling Second Revised Page No. 94

Rider No. 8 – Fixed Price Service has been updated to include the Energy Charges for the 3<sup>rd</sup> Price Application Period (effective June 1, 2005, through May 31, 2006).

**STANDARD CONTRACT RIDERS - (Continued)**

**RIDER NO. 8 – FIXED PRICE SERVICE**

(Applicable to Rate Schedules GL, GLH, L and HVPS)

Fixed price service provides large commercial and industrial customers with annual price stability for generation, but reflects the competitive market through determination of the generation charges based on a request for proposal to acquire the energy to serve the load of customers taking service under the provisions of this rider.

**MONTHLY RATE**

**DEMAND CHARGES (effective January 1, 2005 through May 31, 2006)**

	<b>GL</b>	<b>GLH</b>	<b>L</b>	<b>HVPS</b>
\$ per kW per day	\$0.0305	\$0.0305	\$0.0305	\$0.0305

The Demand Charges will be applied to the customers Demand described below and will be based on the number of days in the billing cycle during which service is provided.

**ENERGY CHARGES**

**Initial Price Application Period (effective January 1, 2005 through May 31, 2006)**

	<b>GL</b>	<b>GLH</b>	<b>L</b>	<b>HVPS</b>
On-peak cents per kilowatt-hour	7.4440	7.2854	7.1760	6.8250
Off-peak cents per kilowatt-hour	5.0741	4.9200	4.8445	4.5520

**2nd Price Application Period (effective February 1, 2005 through May 31, 2006)**

	<b>GL</b>	<b>GLH</b>	<b>L</b>	<b>HVPS</b>
On-peak cents per kilowatt-hour	7.4910	7.3323	7.2223	6.8702
Off-peak cents per kilowatt-hour	5.1049	4.9507	4.8747	4.5815

**3<sup>rd</sup> Price Application Period (effective June 1, 2005 through May 31, 2006)**

	<b>GL</b>	<b>GLH</b>	<b>L</b>	<b>HVPS</b>
On-peak cents per kilowatt-hour	7.8966	7.7372	7.6214	7.2592
Off-peak cents per kilowatt-hour	5.3702	5.2155	5.1357	4.8360

**4<sup>th</sup> Price Application Period (effective September 1, 2005 through May 31, 2006)**

	<b>GL</b>	<b>GLH</b>	<b>L</b>	<b>HVPS</b>
On-peak cents per kilowatt-hour	See Below	See Below	See Below	See Below
Off-peak cents per kilowatt-hour	See Below	See Below	See Below	See Below

(C) – Indicates Change

(C)

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

DUQUESNE LIGHT COMPANY	:	
Petition for Approval of Plan for Post-	:	Docket No. P-00032071
Transition Period POLR Service.	:	

**SCHEDULE 2**

Affidavit of Maureen L. Hogel attesting that the RFP results reported in this filing are true and correct and that the RFP was conducted pursuant to the approved RFP Guidelines.

Schedule 2

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

DUQUESNE LIGHT COMPANY :  
Petition for Approval of Plan for : Docket No. P-00032071  
Post-Transition Period POLR Service:

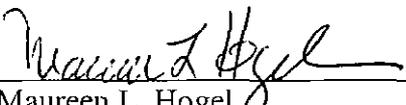
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AFFIDAVIT

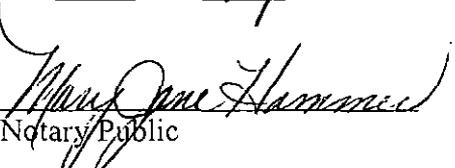
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I, Maureen L. Hogel, being duly sworn according to law, depose and say that I am Senior Vice President and Chief Legal & Administrative Officer of Duquesne Light Company ("Duquesne"); that I am authorized to and do make this affidavit for it; and that the facts set forth below are true and correct to the best of my knowledge, information and belief.

1. The results of the refreshed energy price bidding conducted by Duquesne and reported in this filing are true and correct.
2. The refreshed energy price bidding process used by Duquesne was conducted pursuant to the RFP Guidelines identified as Exhibit B to Duquesne's September 1, 2004 compliance filing, as amended by the Public Utility Commission's First Order on Compliance entered October 1, 2004 at this docket.

  
Maureen L. Hogel  
Senior Vice President and Chief  
Legal & Administrative Officer  
Duquesne Light Company

Sworn and subscribed before me  
this 20th of May, 2005

  
Notary Public

COMMONWEALTH OF PENNSYLVANIA  
Notarial Seal  
Mary Jane Hammer, Notary Public  
City of Pittsburgh, Allegheny County  
My Commission Expires Oct. 6, 2007  
Member, Pennsylvania Association of Notaries

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

DUQUESNE LIGHT COMPANY :  
Petition for Approval of Plan for Post- :  
Transition Period POLR Service. :

Docket No. P-00032071

RECEIVED

MAY 20 2005

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CERTIFICATE OF SERVICE

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PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

I hereby certify that I have this day served true and correct copies of the Non-Proprietary version of the foregoing document upon the individuals listed, in accordance with the requirements of Section 1.54 (relating to service by a participant).

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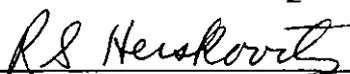
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Richard S. Herskovitz

Counsel for Duquesne Light Company

Dated: May 20, 2005

DATE: May 24, 2005  
SUBJECT: R-00050595  
TO: Bureau of Fixed Utility Services  
FROM: James J. McNulty *ddt*  
Secretary

Duquesne Light Company Quarterly Updated  
Retail Rates for Fixed Price Provider of Last Resort

Attached is a copy of a Duquesne Light Company's Quarterly Updated Retail Rates for Fixed Price provider of Last Resort Service to its Large Commercial and Industrial Customers effective June 1, 2005, which has been captioned and docketed to the above referenced number.

This matter is assigned to your Bureau for appropriate action.

Please note the filing contains confidential material.

Attachments

ddt

**DOCKETED**  
MAY 24 2005

DOCUMENT  
FOLDER