

CAPTION SHEET

CASE MANAGEMENT SYSTEM

- 1. REPORT DATE: 00/00/00
- 2. BUREAU: FUS
- 3. SECTION(S):
- 5. APPROVED BY: DIRECTOR: SUPERVISOR:
- 6. PERSON IN CHARGE:
- 8. DOCKET NO: R-00051125
- 4. PUBLIC MEETING DATE: 00/00/00
- 7. DATE FILED: 11/18/05
- 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 DECEMBER 1, 2005. (SEE ALSO P-00032071 FOR DUQUESNES ORIGINAL REQUEST FOR PLAN OF APPROVAL FOR POST-TRANSITION PERIOD POLR SERVICE)

DOCKETED

NOV 21 2005

DOCUMENT
FOLDER



Duquesne Light

Our Energy... Your Power

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ORIGINAL

Richard S. Herskovitz
Assistant General Counsel

November 18, 2005

VIA OVERNIGHT MAIL

R-00051125

RECEIVED

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

NOV 18 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 December 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 Fifth 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 December 1, 2005 are not approved by the Commission by Secretarial Letter entered on or before Wednesday, November 23, 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.

69

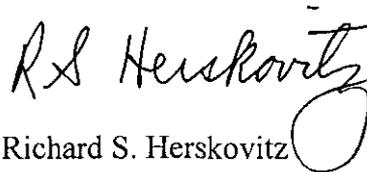
Page 2
Mr. James J. McNulty, Secretary
November 18, 2005

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 date stamp the fourth copy of this Application enclosed, and kindly return it to me in the self-addressed stamped envelope for my file.

Please contact me if you have any questions.

Very truly yours,


Richard S. Herskovitz

Enclosures

- c: Wendell F. Holland, Chairman (w/Enclosures)
James H. Cawley, Vice Chairman (w/Enclosures)
Kim Pizzingrilli, Commissioner (w/Enclosures)
Terrance J. Fitzpatrick, Commissioner (w/Enclosures)
Bill Shane, Commissioner (w/Enclosures)
Karen Oill Moury, Esquire (w/Enclosures)
Service List (w/Enclosures)

ORIGINAL

ATTACHMENTS CONTAIN
PROPRIETARY AND CONFIDENTIAL INFORMATION

*** DO NOT RELEASE ***

RECEIVED

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

NOV 18 2005

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Petition of Duquesne Light Company)
for Approval of Its Plan for Post-Transition) Docket No. P-00032071
Period Provider of Last Resort Service.)

R-00051125

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 Commission by Secretarial Letter dated October 22, 2004 at Docket No. R-00049887.

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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 Period¹ for New FPS Customers electing FPS during the upcoming quarter.²

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

¹ The updated FPS price and service will extend through May 31, 2006.

² Each quarter, winning suppliers will be required to bid a single updated energy price on the 15th 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 1st day of the following calendar month for all New FPS Customers that elect FPS service during the upcoming quarter.

November 18, 2005 for new FPS customers who elect service between December 1, 2005 and February 28, 2006.

Duquesne translated the refreshed bid prices into retail rates in accordance with the RFP guidelines approved in the First Compliance Order³. 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 Fifth 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.⁴ 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

³ 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.

⁴ *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).⁵

C. Affidavit in Support of This Filing

As attested to in the Affidavit of Maureen L. Hogel, Duquesne's Senior Vice President and 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

⁵ 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 February 28, 2006). 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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Richard S. Herskovitz, Esquire
Assistant General Counsel
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rherskovitz@duqlight.com

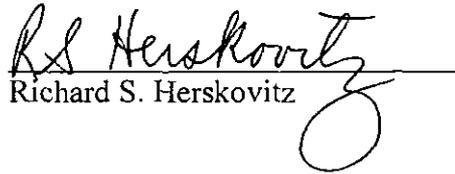
Daniel P. Delaney, Esquire
Kirkpatrick & Lockhart Nicholson Graham LLP
240 North Third Street
Harrisburg, PA 17101-1507
ddelaney@kl.com

III. CONCLUSION

Duquesne respectfully requests that the Commission issue by close of business on November 23, 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 December 1, 2005; and
4. Grants whatever additional relief is just and reasonable under the circumstances.

Respectfully submitted,


Richard S. Herskovitz

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ddelaney@kl.com

Daniel P. Delaney

Dated: November 18, 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

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

SUPPLEMENT NO. 33
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

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

ISSUED: November 18, 2005

EFFECTIVE: December 1, 2005

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

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

**Fourth Revised Page No. 95
Cancelling Third Revised Page No. 95**

Rider No. 8 – Fixed Price Service has been updated to include the Energy Charges for the 5th Price Application Period (effective December 1, 2005, through May 31, 2006).

STANDARD CONTRACT RIDERS - (Continued)

RIDER NO. 8 - FIXED PRICE SERVICE - (Continued)

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

MONTHLY RATE - (Continued)

ENERGY CHARGES - Continued

5th Price Application Period (effective December 1, 2005 through May 31, 2006)

(C)

| | <u>GL</u> | <u>GLH</u> | <u>L</u> | <u>HVPS</u> |
|----------------------------------|-----------|------------|----------|-------------|
| On-peak cents per kilowatt-hour | 11.8417 | 11.6747 | 11.5027 | 11.0430 |
| Off-peak cents per kilowatt-hour | 7.9501 | 7.7905 | 7.6739 | 7.3104 |

6th Price Application Period (effective March 1, 2006 through May 31, 2006)

| | <u>GL</u> | <u>GLH</u> | <u>L</u> | <u>HVPS</u> |
|----------------------------------|-----------|------------|-----------|-------------|
| 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 |

APPLICATION PERIODS, AVAILABILITY AND QUARTERLY UPDATES

Beginning January 1, 2005, the Company will supply generation by obtaining the requirements from suppliers through a competitive procurement process using a request for proposal. The charges for electric generation calculated pursuant to the request for proposal for service under this rider will be effective from January 1, 2005 through May 31, 2006. The above charges include the price of electricity, transmission related ancillary services, line losses and the applicable Rider No. 1 PJM Surcharge. Ancillary services include but are not limited to reactive power service, regulation and frequency control service, spinning reserve service and operating reserves. Losses include transmission line losses and distribution line losses.

Beginning February 1, 2005, the Company will update the rates for the Energy Charges on a quarterly basis. The updated rates will be based on the lowest new price(s) available from the winning suppliers in the initial request for proposal. In the month prior to the beginning of each Price Application Period, the Company will file new Energy Charges with the Commission for the subsequent Price Application Period, and upon Commission approval, these charges shall become effective on the first day of the following month. These Energy Charges shall apply to customers who elect FPS service during that Price Application Period when the charges became effective. Both the Initial and all subsequent Price Application Period Energy Charges shall remain in effect through May 31, 2006. The Energy Charges that apply to a customer will depend on when the customer elects FPS service. Service at the updated rates will be available to those customers who did not select service under Rider No. 8 on or before January 31, 2005 and who had previously purchased their electric generation requirements from an EGS, had previously taken service under the Company's Rider No. 9, or who were under the Company's POLR I rates. Customers who return to POLR service without prior notification to the Company or who fail to elect service under Rider No. 8 will automatically be assigned to Rider No. 9.

(C) - Indicates Change

**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.

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SECRETARY'S BUREAU

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

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

I, Maureen L. Hogel, being duly sworn according to law, depose and say that I am Senior Vice President and Chief Legal and 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.

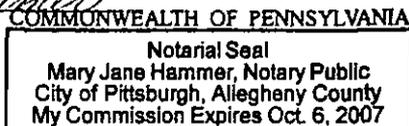
1. The results of the refreshed energy price bidding conducted by Duquesne and reported in this filing are true and correct.
2. The refreshed energy price bidding process used by Duquesne was conducted pursuant to the RFP Guidelines identified as Exhibit B to Duquesne's September 1, 2004 compliance filing, 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 and Administrative Officer
Duquesne Light Company

Sworn and subscribed before me
this 18th of November, 2005


Notary Public



Member, Pennsylvania Association of Notaries

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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

CONFIDENTIAL AND PROPRIETARY
As required by the Commission's First Order on Compliance at Dkt. P-00032071, at
pages 42-3.

SCHEDULE 3

Bid Translation into Retail Rates

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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

Docket No. P-00032071

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NOV 18 2005

CERTIFICATE OF SERVICE

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).

Via E-mail and First Class Mail (unless otherwise indicated)

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rherkovitz@duqlight.com


Richard S. Herskovitz

Counsel for Duquesne Light Company

Dated: November 18, 2005

DATE: November 23, 2005
SUBJECT: R-00051125
TO: Bureau of Fixed Utility Services
FROM: James J. McNulty *ddt*
Secretary

Petition of Duquesne Light Company
for approval of Plan for Post-Transition Period
POLR Service, RFP Compliance Filing for Fixed Price Service.

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

This matter is assigned to your Bureau for
appropriate action.

Please note the filing contains confidential
material.

Attachments

ddt

DOCKETED

NOV 21 2005

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FOLDER