

BERGER | HARRIS

JOHN G. HARRIS, ESQUIRE
E-mail: jharris@bergerharris.com

January 29, 2016

VIA OVERNIGHT DELIVERY

Rosemary Chiavetta, Secretary
Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

RECEIVED

FEB 29 2016

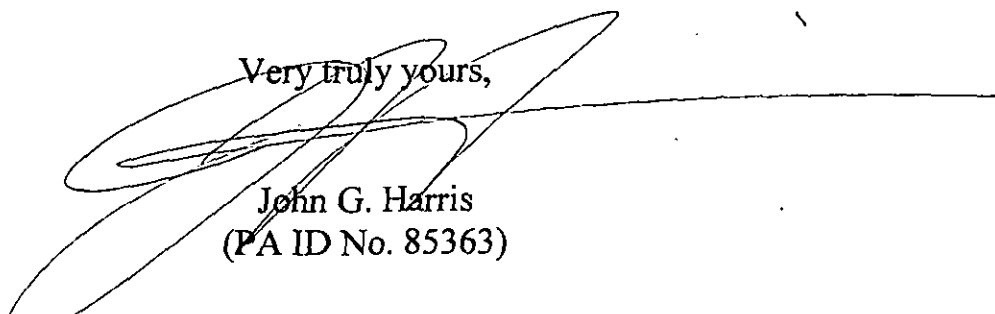
PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

**RE: One Ten Associates (Draxxhall Management)
v. Duquesne Light Company
Docket No. C-2015-2507068**

Dear Secretary Chiavetta:

Enclosed please find Complainant's Reply to the New Matter of Duquesne Light Company. A copy of the enclosed document has been served upon counsel for the Respondent.

Very truly yours,


John G. Harris
(PA ID No. 85363)

cc: Jeremy V. Farrell, Esq. (w/enc.)

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

RECEIVED

ONE TEN ASSOCIATES)
(DRAXXHALL MANAGEMENT)
CORP.),)
Complainant,)
v.)
DUQUESNE LIGHT COMPANY,)
Respondent.)

FEB 29 2016

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

No. C-2015-2507068

REPLY TO THE NEW MATTER OF DUQUESNE LIGHT COMPANY

Pursuant to Section 5.63 of the Pennsylvania Public Utility Commission's Regulations, 52 Pa. Code § 5.63, One Ten Associates, an affiliate of Draxxhall Management Corporation (collectively, "Complainant"), hereby files the following Reply to the New Matter ("New Matter") filed by Duquesne Light Company ("Respondent") with the Pennsylvania Public Utility Commission (the "Commission") in the above-captioned proceeding on January 11, 2016. For the reasons which follow, Respondent's New Matter should be denied.

INTRODUCTION

The New Matter challenges Complainant's Second Amended Complaint ("Complaint") for lack of standing. A true and correct copy of the Complaint is attached hereto as **Exhibit 1**. In a nutshell, Respondent's standing argument rests

on two fallacies, the first of which is that “[t]he authorization attached to the Second Amended Complaint [the “Client Authorization”] states that John G. Harris, Esq. [*i.e.*, Complainant’s attorney of record] is an *affiliate* of UtiliSave, LLC.” A&NW ¶ 9 (emphasis and bracketed text added).¹ This contention is premised on a flawed reading of the first sentence of the Client Authorization, which states in pertinent part:

This letter is to authorize, UtiliSave LLC and its affiliates, *and* John G. Harris, Esquire *and* the firm of Berger Harris LLP, to act as [Complainant’s] agent to represent [Complainant] in complaints submitted to the Pennsylvania Public Utility Commission ...

(emphasis added) Compl., Ex. A.

Longstanding rules of grammar and textual construction dictate reading “John G. Harris, Esquire” as separate and distinct from “UtiliSave, LLC” and its “affiliates.” In the above-quoted text, “John G. Harris, Esquire” is separated from “affiliates” by a comma followed by the conjunction “and.” The meaning and usage of this single, three-letter word—“and”—is dispositive of Respondent’s strained textual argument. “The usual meaning of the word ‘and’ ... is conjunctive, and ‘unless the context dictates otherwise, ... ‘and’ is presumed to be used in its ordinary sense ...” *Reese Bros., Inc. v. United States*, 447 F.3d 229, 236-37 (3rd Cir. 2006) (citations omitted). “Conjunctive” is a “grammatical term

¹ “A&NW ¶ __” refers to Respondent’s Answer and New Matter to Second Amended Complaint.

for particles which serve for joining or connecting together. Thus, the word ‘and’ is called a ‘conjunctive,’ and ‘or’ a ‘disjunctive,’ conjunction.” BLACK’S LAW DICTIONARY (6th ed.). The ordinary conjunctive usage of “and” is to link independent terms. *See Bruesewitz v. Wyeth LLC*, 131 S. Ct. 1068, 1078, 562 U.S. 223, 235 (2011) (“linking independent ideas [or terms] is the job of a coordinating junction like ‘and’”). It is “well settled that the word ‘and’ can mean ‘or.’” *McIntyre v. Bd. of Supervisors of Shohola Township*, 614 A.2d 335, 337 (Pa. Cmwlth. 1992). The “ordinary use” of the term ‘or’ “is almost always disjunctive, that is, the words it connects are to be given separate meanings.” *See Loughrin v. United States*, 134 S.Ct. 2384, 2390, 571 U.S. ___, ___ (2014) (rejecting appellant’s reading of the term “or” to mean “including”) (quoting *United States v. Woods*, 134 S.Ct. 557, 567, 571 U.S. ___, ___ (2013)). Applying these rules of construction, courts will interpret words and phrases connected by the conjunction “and” as distinct and separate. *See, e.g., Grumley v. Pellegrino*, 4 Pa. D.&C. 205-206, 1923 WL 4661, at *3 (Pa. 1923) (finding charges of negligence connected “by the conjunction ‘and’” to be “distinct and separate” charges). In light of these bedrock principles, Respondent’s contention that the undersigned counsel and his firm are affiliates of UtiliSave, LLC is untenable and the standing argument fails for this reason alone.

Respondent's standing defense also rests uneasily on another false assertion: "...Mr. Harris brings this Complaint as a representative of UtiliSave and not 110 [sic] Associates ..." A&NW ¶¶ 9, 10. To see the fallacy in this statement the Commission need look no further than the first paragraph of the Complaint, which clearly identifies "One Ten Associates (Draxxhall Management)" as the customer-complainant.

As if this was not enough, the Client Authorization also discredits Respondent's contention that the undersigned counsel "brings this Complaint as a representative of UtiliSave and not 110 [sic] Associates." As detailed above, the Client Authorization expressly authorizes the undersigned counsel and his firm to "to act as [Complainant's] agent to represent [Complainant] in complaints submitted to the Pennsylvania Public Utility Commission." The plain meaning of this language is not open to reasonable debate.

Further undermining Respondent's standing argument is its admission that Complainant is its customer and the record account holder of the utility account at issue. See A&NW ¶¶ 2-4. These admitted facts, by themselves, leave no doubt that Complainant has a direct, immediate, and substantial interest in the subject matter of this administrative action. Stated differently, Respondent effectively admits that Complainant has standing here. And because Complainant has standing, it logically follows that Complainant has the requisite authority to

appoint the undersigned and his firm to act on its behalf in these proceedings. Simply put, nothing about this arrangement is out of sync with PUC regulations, which expressly permit an “authorized attorney” to sign and file a pleading with the Commission on behalf of a corporate party. See *Pennsylvania Pub. Util. Comm'n, Bureau of Transp. & Safety v. Best Value Limousine, Inc.*, C-2011-2209028, 2012 WL 641670, at * 2 (Jan. 12, 2012) (citing 52 Pa. Code ¶ 1.35(b)).

For these reasons, and those set forth below, the New Matter should be denied.

SPECIFIC AVERMAENTS TO NEW MATTER

Subject to, and waiver of the forgoing, Complainant responds below to each of the separately-numbered paragraphs set forth in the New Matter as follows:

10. Complainant incorporates by reference, as if fully stated herein, paragraphs 1-9 of the Complaint as well as the statements in the Introduction, *supra*.

11. Denied. The averment in Paragraph 11 misinterprets the unambiguous, pertinent language of the Client Authorization, which cannot be reasonably read to mean that the undersigned counsel “is an affiliate of UtiliSave, LLC.” By way of further response, Complainant incorporates herein the statements in the Introduction, *supra*.

12. Denied as stated. By way of further response, Complainant states that, as the subject account holder, Complainant is the true party in interest and, therefore, Complainant has standing to pursue the claims averred in the Complaint through the undersigned counsel. For these reasons, the averments directed at UtiliSave in Paragraph 12 of the New Matter are immaterial to the disposition of the issues in this proceeding and, as such, those averments require no responsive pleading. To the extent that a response is deemed necessary, Complainant denies the averments in Paragraph 12. In further response, Complainant states that the Client Authorization is a document, the terms of which speak for themselves and, as such, no interpretation or characterization of the terms of the Client Authorization is necessary in this responsive pleading. By way of further response, Complainant incorporates herein the statements in the Introduction, *supra*.

13. Denied. Complainant expressly denies that the undersigned counsel “brings this Complaint as a representative of UtiliSave and not 110 [*sic*] Associates ...,” because, *inter alia*, that averment finds no textual (or other) support in the Complaint or the Client Authorization attached to that pleading. Complainant states further that the Client Authorization makes clear that Complainant expressly authorized the undersigned counsel and his firm to bring this action on its behalf. By way of further answer, Complainant states that the averment in Paragraph 12

that “standing is lacking” is a conclusion of law to which no responsive pleading is required. To the extent that a response is deemed necessary, Complainant denies that averment. In further response, Complainant incorporates herein the statements in the Introduction, *supra*.

WHEREFORE, for the foregoing reasons, Complainant respectfully requests that the Commission deny the New Matter and sustain Complainant’s Second Amended Complaint in its entirety.

Respectfully submitted,

BERGER HARRIS LLP

By: 

John G. Harris, Esq. (PA ID 85363)
1105 N. Market Street, Ste 1100
Wilmington, Delaware 19801
(302) 655-1140 telephone
(302) 655-1131 fax
jharris@bergerharris.com

*Attorneys for Complainant,
One Ten Associates*

Dated: January 29, 2016

EXHIBIT 1

RECEIVED

FEB 29 2016

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

BERGER | HARRIS

JOHN G. HARRIS, ESQUIRE
E-mail: jharris@bergerharris.com

December 18, 2015

VIA OVERNIGHT DELIVERY

Rosemary Chiavetta, Secretary
Public Utility Commission
Commonwealth Keystone Building
400 North Street
Keystone Bldg.
Harrisburg, PA 17120

RECEIVED

FEB 29 2016

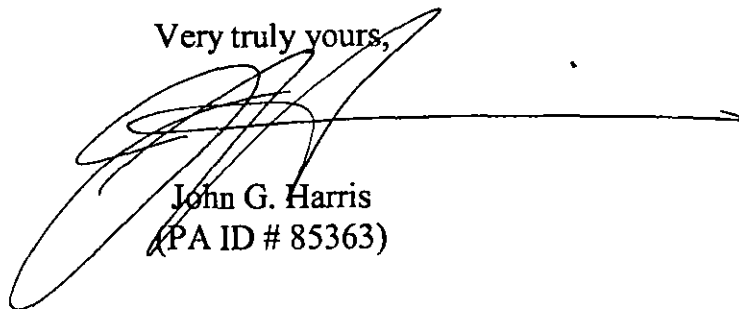
PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

RE: One Ten Associates (Draxxhall Management)
v. Duquesne Light Company
Docket No. C-2015-2507068

Dear Secretary Chiavetta:

Enclosed please find Complainant's Second Amended Complaint. A copy of this document has been served upon Respondent Duquesne Light Company in accordance with Commission regulations.

Very truly yours,



John G. Harris
(PA ID # 85363)

JGH/mn

cc: Jeremy V. Farrell (via certified mail/return receipt)
Lindsay N. Kreppel (via certified mail/return receipt)

RECEIVED

FEB 29 2016

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Formal Complaint

*Filing this form begins a legal proceeding and you will be a party to the case.
If you do not wish to be a party to the case, consider filing an Informal complaint.*

To complete this form, please type or print legibly in ink.

1. Customer (Complainant) Information

Provide your name, mailing address, county, telephone number(s), e-mail address and utility account number. It is your responsibility to update the Commission with any changes to your address and to where you want documents mailed to you.

Name: John G. Harris, Esquire for and on behalf of One Ten Associates
(P.A. Bar Id. No. 85363) (Draxxhall Management)

Street/P.O. Box: 1105 N. Market Street, 11th FL

City: Wilmington State: DE Zip: 19801

County: New Castle County

Telephone Number(s) Where We Can Contact You During the Day:

(302) 655-1140 x 206 x (work) () (mobile)

E-mail Address (optional): jharris@bergerharris.com

Utility Account Number (from your bill) Acct# 5932200000

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

Name: ONE TEN ASSOCIATES/DRAXXHALL MANAGEMENT CORPORATION

Street/P.O. Box: 435 7TH AVENUE

City: PITTSBURGH State: PA Zip: 15219

County: ALLEGHENY COUNTY

2. Name of Utility or Company (Respondent)

Provide the full name of the utility or company about which you are complaining. The name of your utility or company is on your bill.

Duquesne Light Company

3. **Type of Utility Service**

Check the box listing the type of utility service that is the subject of your complaint (check only one):

- ELECTRIC WASTEWATER/SEWER
 GAS TELEPHONE/TELECOMMUNICATIONS (local, long distance)
 WATER MOTOR CARRIER (e.g. taxi, moving company, limousine)
 STEAM HEAT

4. **Reason for Complaint**

What kind of problem are you having with the utility or company? Check all boxes below that apply and state the reason for your complaint. Explain specifically what you believe the utility or company has done wrong. Provide relevant details including dates, times and places and any other information that may be important. If the complaint is about billing, tell us the amount you believe is not correct. Use additional paper if you need more space. Your complaint may be dismissed without a hearing if you do not provide specific information.

- The utility is threatening to shut off my service or has already shut off my service.
- I would like a payment agreement.
- Incorrect charges are on my bill. Provide dates that are important and an explanation about any amounts or charges that you believe are not correct. Attach a copy of the bill(s) in question if you have it/them.
- I am having a reliability, safety or quality problem with my utility service. Explain the problem, including dates, times or places and any other relevant details that may be important.
- Other (explain).

Draxxhall Management Corporation has authorized the undersigned to file and prosecute this complaint on behalf of One Ten Associates, the account holder of record and an affiliate of Draxxhall Management Corporation.

During the course of reviewing the billing for this account, it was discovered that the recorded demand is billed on a non-coincident maximum demand basis. This account has plural meters and has 15 minute interval readings recorded by an Interval Data Recorder for each meter. Billing demand for this account is derived as a sum of non-coincident peak demands for these meters.

The account should be billed on the basis of coincident peak demand based on Complainant's interpretation of Duquesne Light Company's Retail Tariff Rate GL-General Service Large page 48 which states:

"Individual demand, except in unusual cases, will be determined by measurement of the average kilowatts during the fifteen-minute period of greatest kilowatt-hour use during the billing period"

and

"The Billing Demand will be the sum of the individual demands of each metered service..."

Billing a customer on a coincident peak demand basis is typically beneficial for customers and more accurately identifies the customer's impact on the system. Duquesne Light Company's stance is that coincident peak demand billing applies to electric meters under the same service, and non-coincident peak demand billing applies to meters under separate services (different voltages). The utility's position on non-coincident demand billing is not supported anywhere in Duquesne Light Company's tariff, nor does it explain why a different voltage makes a customer ineligible for coincident demand billing.

If the intent was to bill on a non-coincident demand basis, the tariff should have stated "The Billing Demand will be the sum of the individual non-coincident demand of each metered service ..."

Additionally, Complainant's proposed methodology is more accurate as to the true impact on the utility's infrastructure, and no client should be billed for more costs than is accurate, that is essentially the case under the current billing situation.

Thus far, respondent's objections have been primarily technical in nature, and avoid the central, most important element of the complaint regarding Duquesne Light's monthly overbilling of the customer's electric service. Complainant respectfully requests that respondent address the heart of the matter, namely the reason why this account is billed on a non-coincident demand basis, in violation of the terms of Duquesne Light's tariff, resulting in higher monthly electric charges to the customer.

Note: if your complaint is only about removing or modifying a municipal lien filed by the City of Philadelphia, the Public Utility Commission (PUC) cannot address it. Only local courts in Philadelphia County can address this type of complaint. The PUC can address a complaint about service or incorrect billing even if that amount is subject to a lien.

In addition, the PUC generally does not handle complaints about cell phone or Internet service, but may be able to resolve a dispute regarding voice communications over the Internet (including the inability to make voice 911/E911 emergency calls) or concerns about high-speed access to Internet service.

6. Requested Relief

How do you want your complaint to be resolved? Explain what you want the PUC to order the utility or company to do. Use additional paper if you need more space.

Billed demands should be revised from the initiation of the IDR readings. IDR readings permit Duquesne Light Company to accurately bill the client as Complainant asserts here, and so Complainant requests that such a recalculation be undertaken.

If your findings reveal that this proposed methodology results in a lower charge, kindly direct Duquesne Light Company to remit payment for the adjustment, with any applicable interest, to John G. Harris, Esquire of Berger Harris LLP.

Note: The PUC can decide that a customer was not billed correctly and can order billing refunds. The PUC can also fine a utility or company for not following rules and can order a utility or company to correct a problem with your service. Under state law, the PUC cannot decide whether a utility or company should pay customers for loss or damages. Damage claims may be sought in an appropriate civil court.

6. **Protection From Abuse (PFA)**

Has a court granted a "Protection From Abuse" order that is currently in effect for your personal safety or welfare? The PUC needs this information to properly process your complaint so that your identity is not made public.

Note: You must answer this question if your complaint is against a natural gas distribution utility, an electric distribution utility or a water distribution utility AND your complaint is about a problem involving billing, a request to receive service, a security deposit request, termination of service or a request for a payment agreement.

Has a court granted a "Protection From Abuse" order for your personal safety or welfare?

YES
NO

If your answer to the above question is "yes," attach a copy of the current Protection From Abuse order to this Formal Complaint form.

7. **Prior Utility Contact**

a. Is this an appeal from a decision of the PUC's Bureau of Consumer Services (BCS)?

YES
NO

Note: If you answered yes, move to Section 8. No further contact with the utility or company is required. If you answered no, answer the question in Section 7 b. and answer the question in Section 7 c. if relevant.

b. If this is not an appeal from a BCS decision, have you spoken to a utility or company representative about this complaint?

YES
NO

Note: You must contact the utility first if (1) you are a residential customer, (2) your complaint is against a natural gas distribution utility, an electric distribution utility or a

water utility AND (3) your complaint is about a billing problem, a service problem, a termination of service problem, or a request for a payment agreement.

c. If you tried to speak to a utility company representative about your complaint but were not able to do so, please explain why.

Note: Even if you are not required to contact the utility or company, you should always try to speak to a utility or company representative about your problem before you file a Formal Complaint with the PUC.

8. Legal Representation

If you are filing a Formal Complaint as an individual on your own behalf, you are not required to have a lawyer. You may represent yourself at the hearing.

If you are already represented by a lawyer in this matter, provide your lawyer's name, address, telephone number, and e-mail address, if known. Please make sure your lawyer is aware of your complaint. If represented by a lawyer, both you and your lawyer must be present at your hearing.

Lawyer's Name: John G. Harris, Esquire (P.A. Bar Id. No. 85363)

Street/P.O. Box: 1105 N. Market Street, 11th Fl.

City: Wilmington State: DE Zip: 19801

Area Code/Phone Number (302) 655-1140 x 206

E-mail Address (if known) jharris@bergerharris.com

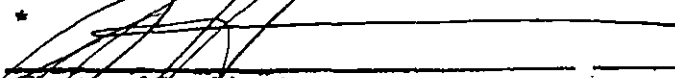
Note: Corporations, associations, partnerships, limited liability companies and political subdivisions are required to have a lawyer represent them at a hearing and to file any motions, answers, briefs or other legal pleadings.

9. **Verification and Signature**

You must sign your complaint. Individuals filing a Formal Complaint **must** print or type their name on the line provided in the verification paragraph below and **must** sign and date this form in **ink**. If you do not sign the Formal Complaint, the PUC **will not accept it**.

Verification:

I, John G. Harris, Esquire (PA Bar ID-85363), 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 of Complainant) 12/18/15

(Date)

* For claimant pursuant to 52 Pa. Code Sec. 1.35; see also Pennsylvania Public Utility Commission v. Best Value Limousine, Inc., 20122 WL 641670 (Pa. P.U.C. Jan. 13, 2012)

Title of authorized employee or officer (only applicable to corporations, associations, partnerships, limited liability companies or political subdivisions)

Note: If the Complainant is a corporation, association, partnership, limited liability company or political subdivision, the verification **must** be signed by an authorized officer or authorized employee. If the Formal Complaint is **not signed** by one of these individuals, the PUC **will not accept it**.

10. **Two Ways to File Your Formal Complaint**

Electronically. You must create an account on the PUC's eFiling system, which may be accessed at <http://www.puc.pa.gov/efiling/default.aspx>.

Note: If you are appealing your Bureau of Consumer Services (BCS) decision, you must file your formal complaint by mail.

Mail. Mail the completed form with your original signature and any attachments, by certified mail, first class mail, or overnight delivery to this address:

Secretary
Pennsylvania Public Utility Commission
400 North Street
Harrisburg, Pennsylvania 17120

Note: Formal Complaints sent by fax or e-mail 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 Formal Complaint for your records.

DRAXXHALL MANAGEMENT CORPORATION

707 GRANT STREET SUITE 898, PITTSBURGH, PA 15219

AND: 2250 ROSWELL ASSOCIATES, WILMINGTON LENDER ASSOCIATES LP,
110 ASSOCIATES-GULF TOWER, FRICK LENDER ASSOCIATES LP, MANOR BLDG
ASSOCIATES LP, KOPPERS LENDER ASSOC LP, AND ONE TEN ASSOCIATES

LETTER OF AUTHORIZATION

Property Address: SEE EXHIBIT A Block#: _____ Lot#: _____

Acct Number(s) _____

For multiple properties/accounts, please see Exhibit A

This letter is to authorize UtiliSave, LLC, and its affiliates, and John G. Harris, Esquire and the firm of Berger Harris LLP, to act as our agent to represent us in complaints submitted to the Pennsylvania Public Utility Commission, and to audit and otherwise review our accounts and services provided by your entity. The specific accounts and/or block and lot numbers covered by this authorization are listed in the attached Appendix, and may be updated by us with written notification to your company. This authorization includes providing UtiliSave with access to EDI, CD ROM, web-based systems, or similar electronic or digital historical usage, billing, payment and credit information that we are entitled to receive, or that UtiliSave is entitled to receive as an appropriately licensed energy services business in your state or jurisdiction. This authorization explicitly permits UtiliSave to register on our behalf for access to any online utility billing and/or metering data systems that we are entitled to access.

Upon their request, please provide directly to UtiliSave's representatives whatever information and materials we are entitled to receive from you, including any contracts, bills, interval data, Personal Identification Number (PIN) codes required to access any and all utility related information that your company provides to us in hard copy format or via online systems.

UtiliSave, LLC and its affiliates, are authorized to investigate our records; including details of contracted account information for confidential use, negotiate any adjustments in past or future billings, select alternate service classifications for our accounts, apply for any refunds and credits, and pursue any claims against you relating to the reduction or recovery of costs of utilities in the event that such a claim should arise. We also request that any refunds issued to our account be in the form of a check made payable to our organization and mailed to UtiliSave, LLC, 129 West 27th Street, 11th Floor, New York, NY 10001 for delivery to us.

This authorization remains in effect until it is revoked in writing.

Your cooperation and assistance are greatly appreciated.

Signature: WR Baldauff

Print Name: WR BALDAUFF

Title: President

**DRAXXHALL MANAGEMENT
CORPORATION**
707 GRANT STREET SUITE 888, PITTSBURGH, PA 15219

EXHIBIT A

Account Name	Building & Service Address	Parcel ID	Electric Acct#	Gas Acct#	Water Acct#	Steam Acct#
220 ROSSWELL ASSOCIATES LP	2200 Rosswood Dr, Pittsburgh P.A. 15208	0107-B-00200-0000-00	8001-713-643-001 9604270000	0008F2864000018	1024-010032297059	
WHARTON LENDER ASSOC LP	2100 Wharton St, Pittsburgh P.A. 15203	0018-F-00270-0000-00	2001-783-851-001 8378620000	087131918000018	5050505-1012848	
116 ASSOCIATES-GILLY TOWER	100 Liberty Ave, Pittsburgh P.A. 15222	0008-N-0008-0000-00	6000-432-200-002 8530800000	064101184000018	5114180-1000028	
FRICK LENDER ASSOCIATES LP	437 Grant St, Pittsburgh P.A. 15219	0002-E-00150-0000-00	7001-388-470-001 2321320000	000205280000026	8001083-1031802	
MANOH BLDG ASSOCIATES LP	804 Forbes Ave, Pittsburgh P.A. 15219	0002-K-00174-0000-00	7001-388-470-802 3321320000	008802183000018	8000376-1111776	
KOPPELIS LENDER ASSOC LP	428 7 th Ave, Pittsburgh P.A. 15219	0002-A-00278-0000-00	2001-438-788-001 3380030000		5081028-1180381	5218-S-1
ONE TEN ASSOCIATES	707 Grant St, Pittsburgh P.A. 15219	0002-D-00013-0000-00			0001028-1000028	2321-S-1
ONE TEN ASSOCIATES	438 7 th Ave, Pittsburgh PA 15219		6008-004-600-001 8633209000			
DRAXXHALL MOT CORP	923 Penn Ave, Pittsburgh PA 15222			006802125000024		

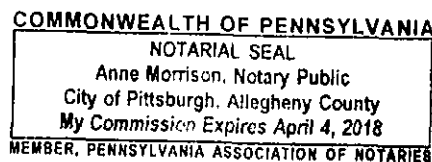
VERIFICATION

W.R. Baldauff deposes and says he is the President of Draxxhall Management Corporation; that he is duly authorized to and does make this Verification on behalf of One Ten Associates (Draxxhall Management); that the facts set forth in the foregoing Reply to the New Matter of Duquesne Light Company are true and correct to the best of his knowledge, information and belief; and this Verification is made subject to the penalties of 18 Pa. C.S. Section 4904 (relating to unsworn falsification to authorities).

W.R. Baldauff
W.R. BALDAUFF

Sworn to before me in my presence
on this 21st day of January, 2016.

Anne Morrison
Notary Public



RECEIVED

FEB 29 2016

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

ONE TEN ASSOCIATES,	:	
	:	
Complainant,	:	
	:	
vs.	:	No: C-2105-2507068
	:	
DUQUESNE LIGHT COMPANY,	:	
	:	
Respondent.	:	

CERTIFICATE OF SERVICE

I, John G. Harris, Esquire, hereby certify that I have served a true and correct copy of the foregoing document upon the participant listed below in accordance with the requirement of 52 PA. Code 1.54 this 18th day of December, 2015 as follows:

VIA U.S. MAIL - CERTIFIED/RETURN RECEIPT

Jeremy V. Farrell
Lindsay N. Kreppel
Tucker Arensberg, P.C.
1500 One PPG Place
Pittsburgh, PA 15222

*Attorneys for Respondent
Dequesne Light Company*

RECEIVED

FEB 29 2016

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

BERGER HARRIS LLP

By /s/ John G. Harris
John G. Harris, Esq. (PA ID No. 85363)
1105 N. Market Street, 11th floor
Wilmington, DE 19801
(302) 655-1140 telephone
(302) 655-1131 fax
jharris@bergerharris.com

*Attorneys for Complainant
One Ten Associates (Draxxhall Management)*

Dated: December 18, 2015
Wilmington, Delaware

CERTIFICATE OF SERVICE

I hereby certify that on this 29th day of January, 2016, I caused a true copy of Complainant's Reply to the New Matter of Duquesne Light Company to be served in accordance with the requirements set of 52 PA. Code § 1.54 (relating to service by a party) and in the manners set forth below.

Via First Class Mail

Jeremy V. Farrell, Esq.
1500 One PPG Place
Pittsburgh, PA 15222

RECEIVED

FEB 29 2016

Via Fax

Jeremy V. Farrell, Esq.
(412) 594-5619

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Via E-Mail

Jeremy V. Farrell, Esq.
jfarrell@tuckerlaw.com

BERGER HARRIS LLP

By: 

John G. Harris, Esq. (PA ID 85363)
1105 N. Market Street, Ste 1100
Wilmington, Delaware 19801
(302) 655-1140 telephone
(302) 655-1131 fax
jharris@bergerharris.com

*Attorneys for Complainant,
One Ten Associates*

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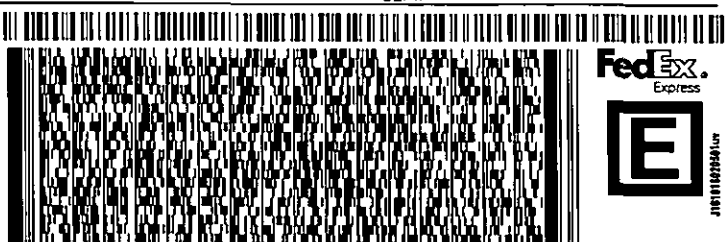
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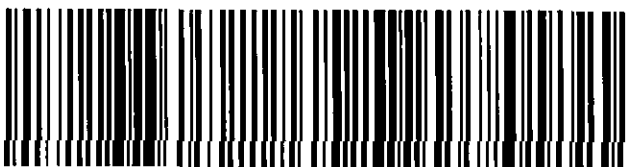


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