

PENNSYLVANIA PUBLIC UTILITY COMMISSION  
Uniform Cover and Calendar Sheet

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1. <u>REPORT DATE:</u> November 26, 2008	2. <u>BUREAU AGENDA NO.</u> 1198872-OSA-0001
3. <u>BUREAU:</u> Office of Special Assistants	
4. <u>SECTION(S):</u>	5. <u>PUBLIC MEETING DATE:</u> December 4, 2008
6. <u>APPROVED BY:</u> Director: C.W. Davis 7-1827 Mgr/Spvr: R.A. Marinko 3-3930 Legal Review: K. House #772-8495	
7. <u>PERSONS IN CHARGE:</u> H. Deichmiller <i>HD</i> 7-6723	9. <u>EFFECTIVE DATE OF FILING:</u> N/A
8. <u>DOCKET NO.:</u> C-20066233; C-20066236	

10. (a) **CAPTION** (abbreviate if more than 4 lines)  
(b) Short summary of history & facts, documents & briefs  
(c) Recommendation

(a) Ohioview Infrastructure, Inc. and Groveton Housing Partnership (jointly referred to as Complainants) v. Duquesne Light Company (Duquesne)

(b) On April 10, 2006, the Complainants filed consolidated complaints (Complaints) against Duquesne requesting a declaration that the Complainants' developments (Pleasant Ridge and Groveton Village) qualify as New Residential Developments under Duquesne's Tariff Rule 13.2. On May 15, 2006, Duquesne filed Answers to the Complaints wherein it denied its Rule 13.2 applied to the Complainants developments. A hearing was held on January 9, 2007, before Administrative Law Judge (ALJ) Michael A. Nemec. By Initial Decision issued on April 27, 2007, the ALJ dismissed the Complaints. The Complainants filed Exceptions to the Initial Decision on May 24, 2007. Duquesne filed Reply Exceptions on June 5, 2007

(c) The Office of Special Assistants recommends that the Commission adopt the proposed Opinion and Order which denies the Exceptions and adopts the ALJ's Initial Decision.

11. **MOTION BY:** Commissioner Chm. Cawley

**SECONDED:** Commissioner VC Christy

Commissioner Powelson - Yes  
Commissioner Pizzingrilli - Yes  
Commissioner Gardner - Yes

**CONTENT OF MOTION:** Staff recommendation adopted.