

March 13, 2017

Via Electronic Filing

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

RE: Deborah Weisberg v. Duquesne Light Company
Docket No. C-2017-2589827

Dear Secretary Chiavetta:

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

Sincerely,


Jeremy V. Farrell
Attorney for Duquesne Light Company

Lauren N. Rulli
Attorney for Duquesne Light Company

Enclosure

cc: Deborah Weisberg (with enclosure)

LIT:620374-1 014657-158498

5. Duquesne Light files these Preliminary Objections because the Commission lacks jurisdiction over the Complaint's requested relief to the extent that it requests monetary damages.

6. "The Commission must act within, and cannot exceed, its jurisdiction." *City of Pittsburgh v. Pa. Public Utility Comm'n*, 43 A.2d 348 (Pa. Super. Ct. 1945).

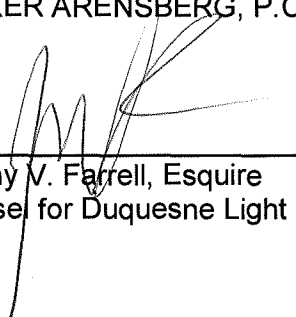
7. The Commission lacks jurisdiction to award damages or to litigate a private action for damages on behalf of a Complainant. *Poorbaugh v. Pa. Public Utility Comm'n*, 666 A.2d 744 (Pa. Cmwlth. 1995).

8. Accordingly, the Commission lacks the jurisdiction to award the monetary damages sought in the Complaint.

9. For these reasons, the Complaint should be dismissed to the extent that it seeks money damages beyond the Commission's jurisdiction.

WHEREFORE, Duquesne Light Company respectfully requests that the Commission sustain its Preliminary Objections and dismiss the Complaint with prejudice to the extent that it seeks recovery of monetary damages.

TUCKER ARENSBERG, P.C.



Jeremy M. Farrell, Esquire
Counsel for Duquesne Light Company

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

DEBORAH WEISBERG,

Complainant,

vs.

DUQUESNE LIGHT COMPANY,

Respondent.

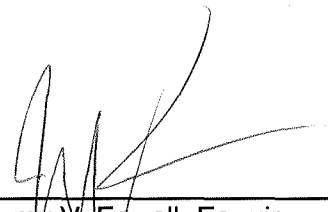
No: C-2017-2589827

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document upon the participant listed below in accordance with the requirements of 52 PA. Code § 1.54 (relating to service by a participant):

Deborah Weisberg
1210 Love Street
Pittsburgh, PA 15218

Dated this 13th day of March, 2017



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