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March 5, 2018

*Via Electronic Filing*

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building, 2nd Floor  
400 North Street  
Harrisburg, PA 17120

**Re: Duquesne Light Company Universal Service and Energy Conservation Plan for  
2017-2019 Submitted in Compliance with 52 Pa. Code. §54.74  
Docket No. M-2016-2534323**

Dear Secretary Chiavetta:

On February 23, 2018, the Public Utility Law Project on behalf of the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania ("CAUSE-PA") filed a Petition for Reconsideration of the Opinion and Order Entered February 8, 2018 in the above referenced docket. Pursuant to 52 Pa.Code § 5.572, Duquesne Light Company ("Duquesne Light" or "Company") respectfully files this letter answer.

In its Petition, CAUSE-PA states that it is not requesting reconsideration of the Commission's approval of Duquesne Light's 2017-2019 Universal Service and Energy Conservation Plan as it relates to the reduction of the percentage of budget payment required effective April 2018, or the denial of the Company's new CAP bill and communications plan. CAUSE-PA Petition at p. 1. Rather, CAUSE-PA submits that it was improper for the Commission to disturb the careful balance constructed and filed by Duquesne Light, the Office of Consumer Advocate and CAUSE-PA as Joint Petitioners by approving a single part of the three part proposal. CAUSE-PA submits that the Commission may have failed to consider, overlooked or misunderstood the holistic, interdependent and integrated nature of the plan submitted by the Joint Petitioners. Duquesne Light understands the obvious dissatisfaction and concern expressed by CAUSE-PA after working in good faith over a period of six months to successfully broker a full agreement amongst divergent interest, which if implemented, would have resulted in more affordable bills and a fresh start for CAP customers. Indeed, having first submitted its 2017-2019 Universal Service and Energy Conservation Plan in March 2016, the Company had hoped for approval, and now looks forward to a final resolution.

CAUSE-PA seemingly posits that the Commission's partial approval essentially negated the entire Joint Petition filed in September 2017. As a remedy, CAUSE-PA requests that the Commission refer this matter to the Office of Administrative Law Judge (OALJ) for further hearing, or order the parties to continue discussions regarding how to address CAP customers past due CAP



arrears. In addition to falling short of the standards announced in *Duick*<sup>1</sup> and its progeny, CAUSE-PA's request for relief rests on two erroneous facts: 1) that the denial of the percentage of income payment plan made permanent the interim percentage of bill structure and 2), that the Commission must act now to address the alleged \$12 million in past due CAP arrears attributed to the unaffordability of the Company's current CAP design. CAUSE-PA's assertion that the percentage of bill structure is permanent (at least until 2023) assumes numerous unsupported facts about future events. It is impossible for CAUSE-PA to predict or dictate what Duquesne Light will propose in its 2020-2022 Universal Service and Energy Conservation Plan, and perhaps more importantly, whether that proposal will be accepted by the Commission. The Company has been directed to file a proposal in less than twelve months to address its 2020-2022 Universal Service and Energy Conservation Plan. CAUSE-PA's attempt to predict the outcome of a future proceeding is needless speculation compounded by uncertainty.

Additionally, the total amount of CAP customer arrears changes with time. It is misleading to suggest that the Commission must address the "\$12 million in past due CAP arrears attributed to the unaffordability of the Company's current CAP design." Notably, even if the Joint Petition were approved by the Commission, CAP customers would not receive relief from past due CAP rate arrears until the new program structure was implemented in 2020. It is unclear why CAUSE-PA suggests that this matter must be addressed immediately.

In closing, the Company requests that CAUSE-PA's request for hearing or further stakeholder meetings be denied given that the existing 2017-2019 plan is not contested, and the deadline for filing the 2020-2022 Universal Service and Energy Conservation Plan is less than twelve months away.

Please feel free to contact me with any questions, comments or concerns.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "Tishekia E. Williams", with a stylized flourish at the end.

Tishekia E. Williams  
Attorney ID#208997

Enclosures

Cc: Certificate of Service via U.S. Postal Service and Electronic Mail

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<sup>1</sup> *Duick v. Pennsylvania Gas and Water Co.*, 56 Pa. P.U.C. 553, 559 (1982) (“[p]arties ..., cannot be permitted by a second motion to review and reconsider, to raise the same questions which were specifically considered and decided against them....”)

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing has been served upon the following persons, in the manner indicated, in accordance with the requirements of § 1.54 (relating to service by a participant):

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Dated: March 5, 2018



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