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December 10, 2018

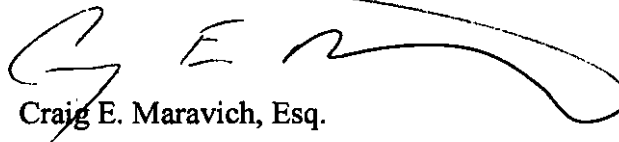
Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Keystone Bldg. 2nd Floor W
400 N. Street
Harrisburg, PA 17120

Re: HFT Holdings v. Duquesne Light Company
No.: C-2018-3005529 and C-2018-3005532

Dear Ms. Chiavetta:

Enclosed please find Plaintiff's Responses to New Matter and Response to Redacted Motion to Consolidate for filing in the above-mentioned case.

Sincerely,



Craig E. Maravich, Esq.

cc: Emily M. Farah

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BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

HFT HOLDINGS)
)
)
 Petitioners,) No.: C-2018-3005529
) No.: C-2018-3005532
)
 v.)
)
) **RESPONSE TO NEW MATTER**
)
 DUQUESNE LIGHT COMPANY)
)
 Respondents,)

RESPONSE TO NEW MATTER

AND NOW, Petitioner HFT Holdings, by and through its attorneys Craig E. Maravich, Esq., Brad N. Sommer, Esq., and Sommer Law Group, P.C., files this Response to New Matter:

10. Denied. It is denied that the averments in the preceding paragraphs of the Answer are incorporated by reference as if fully set forth due to lack of specificity.
11. Denied. It is denied that the Complaint must be dismissed because Complainant is not entitled to the relief sought, namely a payment arrangement, due to lack of specificity and legal conclusion.
12. Admitted. It is admitted that the Complaint was brought by HFT Holdings, Inc. in an effort, *inter alia*, to dispute the charges at this Manor Oak I.
13. Admitted. It is admitted that the Complainant is a nonresidential customer billed at a commercial rate.

14. Denied. It is denied that the statement that a utility may offer a payment arrangement to a commercial customer, but it is not required to do so, Angelo v. PECO Energy Co., Docket No. C-2009-2083058, 2009 WL 4700698, at *3 (Dec. 7, 2009), as it is a conclusion of law.

15. Denied. It is denied that Duquesne Light offered, and Complainant accepted, a payment arrangement for the Account on or about July 26, 2017 and strict proof is required. In further response, Respondent baldly avers that a settlement agreement with payment arrangement exists but fails to attach the agreement.

16. Denied. It is denied that at the time the payment arrangement was established, the Account consisted of \$72,706.26, of which \$63,739.85 was overdue and strict proof is required. In further response, Respondent baldly avers that a settlement agreement with payment arrangement exists but fails to attach the agreement.

17. Denied. It is denied that the first bill under the Company-issued payment arrangement was due September 28, 2017, and strict proof is required. In further response, Respondent baldly avers that a settlement agreement with payment arrangement exists but fails to attach the agreement.

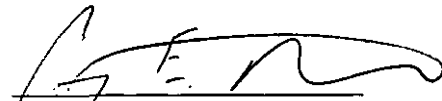
18. Denied. It is denied that Complainant failed to comply with the terms of the payment arrangement, and therefore has failed to demonstrate a good faith attempt to pay for its utility service.

19. Denied. It is denied that given that Complainant, as a matter of law, is not entitled to the relief sought (a payment arrangement), the formal complaint must be dismissed with prejudice, as strict proof is required, the bald allegation is a conclusion of law, and the averment fails to address all claims and requested relief.

CONCLUSION

WHEREFORE, it is respectfully requested that Respondent, Duquesne Light Company's requested relief be denied.

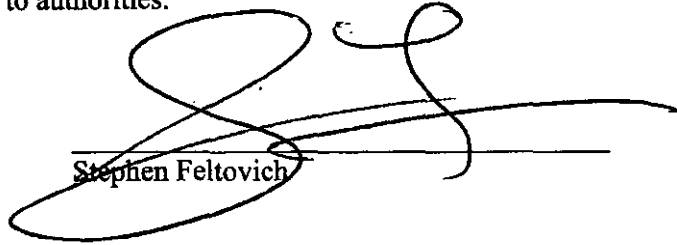
Respectfully Submitted,


Craig E. Maravich, Esquire

VERIFICATION

The undersigned verifies that the statements made herein are true and correct to the best of their knowledge, information, and belief, and are made subject to the penalties of 18 Pa.C.S.A. §4904 relating to unsworn falsification to authorities.

Date: 12-10-18



Stephen Feltovich

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

HFT HOLDINGS)
)
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 Petitioners,) No.: C-2018-3005529
) No.: C-2018-3005532
)
 v.)
)
) **RESPONSE TO NEW MATTER**
 DUQUESNE LIGHT COMPANY)
)
 Respondents,)

CERTIFICATE OF SERVICE

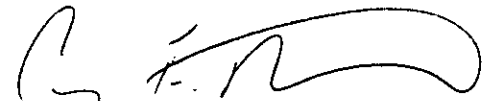
I hereby certify that I have this day served a true copy of the foregoing document upon the participant listed below in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by participant):

Emily M. Farah, Esquire
411 Seventh Avenue, 15th Floor
Pittsburgh, PA 15219

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Keystone Bldg. 2nd Floor W
400 N. Street
Harrisburg, PA 17120

Dated this 10 day of December, 2018

Respectfully Submitted,



Craig E. Maravich, Esquire
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Harrisburg PA 17120

