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File #: 144497

April 16, 2019

***VIA ELECTRONIC FILING***

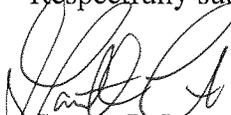
Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2nd Floor North  
P.O. Box 3265  
Harrisburg, PA 17105-3265

**Re: Application of Duquesne Light Company filed Pursuant To 15 Pa.C.S. §1511(c) for a Finding and Determination that the Service to be Furnished by the Applicant through its Proposed Exercise of the Power of Eminent Domain to Acquire a Certain Portion of the Lands of Maria Palombo Aiello, Antoinette Cardinale and Anna Louise Palombo [now known as Anna Louise Aspden] in Plum Borough, Allegheny County, Pennsylvania for the Siting and Construction of the 138 kV Transmission Lines Associated with the Universal-Plum Project in Penn Hills, Monroeville, and Plum Borough, Allegheny County, Pennsylvania Is Necessary or Proper for the Service, Accommodation, Convenience or Safety of the Public  
Docket Nos. A-2018-3000708 & A-2018-3000747**

Dear Secretary Chiavetta:

Enclosed for filing is the Petition for Leave to Withdraw and Terminate the Application of Duquesne Light Company to Exercise the Power of Eminent Domain to Acquire an Easement and Right of Way across the Property of Maria Palombo Aiello, Antionette Cardinale and Anna Louise Palombo [now known as Anna Louise Aspden] in the above-referenced proceeding. Copies will be provided as indicated on the Certificate of Service.

Respectfully submitted,



Garrett P. Lent  
GPL/jl

Rosemary Chiavetta, Secretary  
April 16, 2019  
Page 2

Enclosures

cc: Honorable Conrad A. Johnson  
Certificate of Service

## 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 52 Pa. Code § 1.54 (relating to service by a participant).

### VIA E-MAIL AND FIRST CLASS MAIL

Gary Kalmeyer, Esquire  
Kalmeyer and Kalmeyer  
410 Rodi Road  
Pittsburgh, PA 15235  
*Counsel for Maria Palombo Aiello,  
Antoinette Cardinale and Anna Louise  
Palombo*

### VIA FIRST CLASS MAIL

Sampson Bros Inc.  
133 Jefferson Road  
Pittsburgh, PA 15235

Benjamin Sampson  
Sampson Morris Group  
2500 Eldo Road  
Monroeville, PA 15146

Consol Mining Company LLC  
1000 Consol Energy Drive  
Canonsburg, PA 15317

United States Steel Corporation  
600 Grant Street, Suite 1381  
Pittsburgh, PA 15219

Matthew J. Fearing  
United States Steel Corporation  
U.S. Steel Tower  
600 Grant Street, Suite 1500  
Pittsburgh, PA 15219

Transtar, LLC/Union Railroad, LLC  
1350 Penn Avenue, Suite 200  
Pittsburgh, PA 15222  
Attn.: Cathy Connelly

Richard C. Crawford  
Parkway Associates  
4117 Old William Penn Highway  
Murrysville, PA 15668-1920

Javaid M. Alvi and Pervaiz M. Alvi  
and Walter M. Lorence  
660 Munir Drive  
Elizabeth, PA 15037

Maria Palombo Aiello and Antoinette  
Cardinale and Anna Louise Aspen  
370 Hamilton Drive  
Pittsburgh, PA 15235

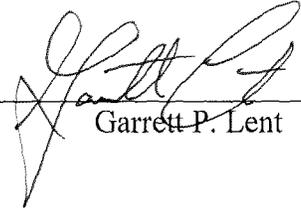
Jeffrey G. and Reginal M. Woodring  
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New Kensington, PA 15068

Davidson Property Co., LLC  
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Pittsburgh, PA 15213

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Parkway Associates  
4117 Old William Penn Highway  
Murrysville, PA 15668-1920

Parkway Associates  
4117 Old William Penn Highway  
Murrysville, PA 15668-1920

Date: April 16, 2019



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Garrett P. Lent

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of Duquesne Light Company filed :  
Pursuant To 15 Pa.C.S. §1511(c) for a Finding : Docket No. A-2018-3000708  
and Determination that the Service to be : Docket No. A-2018-3000747  
Furnished by the Applicant through its :  
Proposed Exercise of the Power of Eminent :  
Domain to Acquire a Certain Portion of the :  
Lands of **Maria Palombo Aiello, Antoinette** :  
**Cardinale and Anna Louise Palombo [now** :  
**known as Anna Louise Aspden]** in Plum :  
Borough, Allegheny County, Pennsylvania for :  
the Siting and Construction of the 138 kV :  
Transmission Lines Associated with the :  
**Universal-Plum Project** in Penn Hills, :  
Monroeville, and Plum Borough, Allegheny :  
County, Pennsylvania Is Necessary or Proper :  
for the Service, Accommodation, Convenience :  
or Safety of the Public. :

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**PETITION FOR LEAVE TO WITHDRAW AND TERMINATE  
THE APPLICATION OF DUQUESNE LIGHT COMPANY  
TO EXERCISE THE POWER OF EMINENT DOMAIN TO ACQUIRE AN  
EASEMENT AND RIGHT OF WAY ACROSS THE PROPERTY OF  
MARIA PALOMBO AIELLO, ANTOINETTE CARDINALE AND ANNA LOUISE  
PALOMBO [NOW KNOWN AS ANNA LOUISE ASPDEN]**

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**TO THE HONORABLE ADMINISTRATIVE LAW JUDGE CONRAD A. JOHNSON:**

Duquesne Light Company (“Duquesne Light”) hereby petitions, pursuant to 52 Pa. Code §§ 1.82 and 5.94(c), for leave to withdraw and terminate the “Application of Duquesne Light Company filed Pursuant To 15 Pa.C.S. §1511(c) for a Finding and Determination that the Service to be Furnished by the Applicant through its Proposed Exercise of the Power of Eminent Domain to Acquire a Certain Portion of the Lands of **Maria Palombo Aiello, Antoinette Cardinale and Anna Louise Palombo [now known as Anna Louise Aspden]** in Plum Borough, Allegheny County, Pennsylvania for the Siting and Construction of the 138 kV

Transmission Lines Associated with the **Universal-Plum Project** in Penn Hills, Monroeville, and Plum Borough, Allegheny County, Pennsylvania Is Necessary or Proper for the Service, Accommodation, Convenience or Safety of the Public” at Docket No. A-2018-3000747(“Palombo Condemnation Application”). In support thereof, Duquesne Light states:

1. Duquesne Light is a public utility and electric distribution company subject to the regulatory jurisdiction of the Commission. Duquesne Light furnishes electric service to approximately 600,000 customers throughout its certificated service territory, which includes all or portions of Allegheny and Beaver Counties and encompasses approximately 800 square miles in western Pennsylvania. Duquesne Light’s principal offices are located at 2825 Beaver Avenue, Pittsburgh, PA 15233.

2. On March 23, 2018, Duquesne Light filed and served the Palombo Condemnation Application, which was docketed at Docket No. A-2018-3000747.<sup>1</sup>

3. On April 2, 2018, a Notice was issued for the Palombo Condemnation Application and the Full Siting Application, scheduling a consolidated Initial Prehearing Conference before Administrative Law Judge Conrad A. Johnson (the “ALJ”) on Friday, June 25, 2018, at 10:00 AM in the 2<sup>nd</sup> Floor Hearing Room, Piatt Place, Suite 220, 301 Fifth Avenue, Pittsburgh, PA 15222.

4. Also on April 2, 2018, the ALJ issued a Prehearing Conference Order directing the parties to, among other things, file a Prehearing Conference Memorandum pursuant to 52 Pa. Code § 5.222(d).

5. The Initial Prehearing Conference was held before the ALJ on June 15, 2018.

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<sup>1</sup> Also on March 23, 2018, Duquesne Light filed the Application of Duquesne Light Company for Approval of the Siting and Construction of the 138 kV Transmission Lines Associated with the Universal-Plum Project in Penn Hills, Monroeville, and Plum Borough, Allegheny County, Pennsylvania, which was docketed at Docket No. A-2018-3000708 (“Full Siting Application”). The Palombo Condemnation Application was consolidated with this proceeding.

6. Duquesne Light has obtained all necessary real estate rights with respect to the Palombo property, which renders the Palombo Condemnation Application unnecessary.

7. Pursuant to Sections 1.82 and 5.94(c) of the Regulations of the Pennsylvania Public Utility Commission, 52 Pa. Code §§ 1.82 and 5.94(c), Duquesne Light seeks to withdraw and terminate the Palombo Condemnation Application in its entirety.

WHEREFORE, Duquesne Light Company respectfully requests that Pennsylvania Public Utility Commission permit Duquesne Light to withdraw the Palombo Condemnation Application and terminate the proceeding docketed at Docket No. A-2018-3000747 in its entirety.

Respectfully submitted,

Tishekia E. Williams, Esquire  
Attorney I.D. #208997  
Michael Zimmerman, Esquire  
Attorney I.D. # 323715  
Duquesne Light Company  
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Phone: 412-393-6268  
Fax: 412-514-3596  
Email: twilliams@duqlight.com  
Email: mzimmerman@duqlight.com

  
\_\_\_\_\_  
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E-mail: glent@postschell.com

Date: April 16, 2019

Counsel for Duquesne Light Company

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of Duquesne Light Company filed :  
Pursuant To 15 Pa.C.S. §1511(c) for a Finding : Docket No. A-2018-3000708  
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**known as Anna Louise Aspden]** in Plum :  
Borough, Allegheny County, Pennsylvania for :  
the Siting and Construction of the 138 kV :  
Transmission Lines Associated with the :  
**Universal-Plum Project** in Penn Hills, :  
Monroeville, and Plum Borough, Allegheny :  
County, Pennsylvania Is Necessary or Proper :  
for the Service, Accommodation, Convenience :  
or Safety of the Public. :

**PROPOSED ORDER**

AND NOW, in consideration of the Petition for Leave to Withdraw and Terminate filed on April 16, 2019, by Duquesne Light Company in the above-captioned matter,

IT IS ORDERED:

1. That the Petition for Leave to Withdraw and Terminate filed by Duquesne Light Company is granted, consistent with this Order.

2. That the Application of Duquesne Light Company filed Pursuant To 15 Pa.C.S. §1511(c) for a Finding and Determination that the Service to be Furnished by the Applicant through its Proposed Exercise of the Power of Eminent Domain to Acquire a Certain Portion of the Lands of **Maria Palombo Aiello, Antoinette Cardinale and Anna Louise Palombo [now known as Anna Louise Aspden]** in Plum Borough, Allegheny County, Pennsylvania for the Siting and Construction of the 138 kV Transmission Lines Associated with the **Universal-Plum**

Project in Penn Hills, Monroeville, and Plum Borough, Allegheny County, Pennsylvania Is Necessary or Proper for the Service, Accommodation, Convenience or Safety of the Public at  
Docket No. A-2018-3000747 is withdrawn.

3. That the Commission shall mark Docket No. A-2018-3000747 closed.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Conrad A. Johnson  
Administrative Law Judge