



Emily M. Farah
Counsel, Regulatory

411 Seventh Avenue
Mail drop 15-7
Pittsburgh, PA 15219

Tel: 412-393-6431
efarah@duqlight.com

July 25, 2022

VIA ELECTRONIC FILING

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

**Re: Municipal Contract – License Agreement between Duquesne Light Company and Allegheny County, Pennsylvania
Docket No. U-2022-_____**

Dear Secretary Chiavetta:

Enclosed for review and approval in accordance with 66 Pa.C.S. § 507 and 52 Pa. Code § 3.101, is a License Agreement dated June 30, 2022, between Duquesne Light Company (“Duquesne Light” or the “Company”) and Allegheny County (“County”). The County granted to Duquesne Light a License Agreement on Muse Lane at McClintock Road situated in White Oak Borough, Allegheny County, which provides the right to install, use, own, operate, maintain, repair, renew, and remove an electrical line.

Should you have any questions regarding the enclosed License Agreement, please contact Esther Stackhouse at 412-393-8915.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "Emily M. Farah".

Emily M. Farah
Attorney ID#322559

Enclosure

DUQUESNE LIGHT CO. COPY
LICENSE AGREEMENT

Made and entered into this 30th day of June, 2022, by and between the COUNTY OF ALLEGHENY, a home rule political subdivision of the Commonwealth of Pennsylvania, having its principal office located at 101 Courthouse, 436 Grant Street, City of Pittsburgh, Allegheny County, Pennsylvania, hereinafter called "COUNTY" and DUQUESNE LIGHT COMPANY, a Pennsylvania corporation with its principal office at 411 Seventh Avenue, Pittsburgh, Pennsylvania, hereinafter called "LICENSEE".

WITNESSETH:

WHEREAS, the COUNTY, acting through its Public Works Department has its principal administrative office located at Room 501, County Office Building, 542 Forbes Avenue, Pittsburgh, PA 15219; and

WHEREAS, LICENSEE, acting through its Rights of Way Section, Mail Drop N3-AM, has its principal administrative office located at 2841 New Beaver Avenue, Pittsburgh, Pennsylvania;

WHEREAS, COUNTY is the owner of a certain tract of land identified as Block & Lot 648-R-374, fronting on Muse Lane at McClintock Road, situate in White Oak Borough, Allegheny County, Pennsylvania (the "PROPERTY"); and

WHEREAS, LICENSEE wants to utilize a portion of the PROPERTY (the "LICENSE AREA") for the purpose of erecting, installing, owning, using, operating, maintaining, repairing, renewing and finally removing an electric line, consisting of two (2) poles (item 4-#474664 and item 5-#474665, together with crossarms, cables, wires, one (1) anchor at item 5, guys and other fixtures and apparatus thereto belonging, upon, over, under, along, across and through the LICENSE AREA (the "PROJECT") as depicted on the Duquesne Light Company drawing numbered 916606-T1, marked as "Exhibit A", attached hereto and made a part hereof, referred to herein (the PLAN); and

WHEREAS, COUNTY deems granting such License to LICENSEE to be in the public interest.

NOW THEREFORE, IT IS AGREED THAT:

1. The Recitals of this Agreement are incorporated by reference as if fully set forth herein.

2. COUNTY, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby grant to LICENSEE a non-exclusive, revocable license to use the LICENSE AREA for the PROJECT as shown on the PLAN.
3. LICENSEE agrees to perform the PROJECT in a professional manner using that standard of care usually exercised by one in the same profession, on the same type of project, at the same time and in the same place, under similar circumstances and conditions.
4. LICENSEE shall construct the PROJECT in substantial accordance with the PLAN and in compliance with all applicable rules and regulations.
5. LICENSEE shall have the right to trim or remove any trees, shrubbery, roots or obstructions which at any time interfere or threaten to interfere with the PROJECT, provided LICENSEE receives prior written approval by the COUNTY.
6. LICENSEE shall indemnify, defend and save harmless COUNTY from and against any and all claims, demands, actions, judgments, loss or damages for injury, including death, to any person or persons or loss or damage to property arising out of or resulting from the PROJECT.
7. This License may be revoked by COUNTY at any time by giving written notice thereof to the LICENSEE, and in such event, LICENSEE shall remove the PROJECT from the LICENSE AREA at its own expense and to the satisfaction of the COUNTY within ninety (90) days after receipt of such notice.
8. This License Agreement is not intended to vest in LICENSEE any easement, right-of-way or interest in the PROPERTY or the LICENSE AREA or both whatsoever.
9. COUNTY shall have the right to request the relocation of the PROJECT, or any portion thereof, to another location to be provided by COUNTY and LICENSEE agrees to relocate the PROJECT, or any portion thereof, to such other location; provided that the location provided by COUNTY is suitable for the PROJECT and the expenses related to such relocation are borne by COUNTY.
10. LICENSEE shall file an executed copy of this License Agreement with the Pennsylvania Public Utility Commission as required by Title 66, Section 507 of the Public Utility Code and this Agreement shall become effective in accordance therewith.

IN WITNESS WHEREOF and intending to be legally bound hereby, the parties hereto have executed this License Agreement as of the date set forth herein.

COUNTY OF ALLEGHENY:

APPROVED BY DIRECTOR
DEPARTMENT OF PUBLIC WORKS:

Stephen G. Shanley 7/15/22
Stephen G. Shanley, P.E., Director Date

APPROVED BY DIRECTOR
DEPARTMENT OF PARKS

Andrew Baechle
Andrew Baechle, Director Date

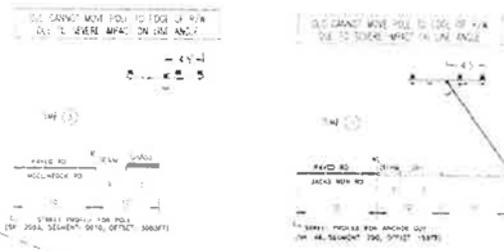
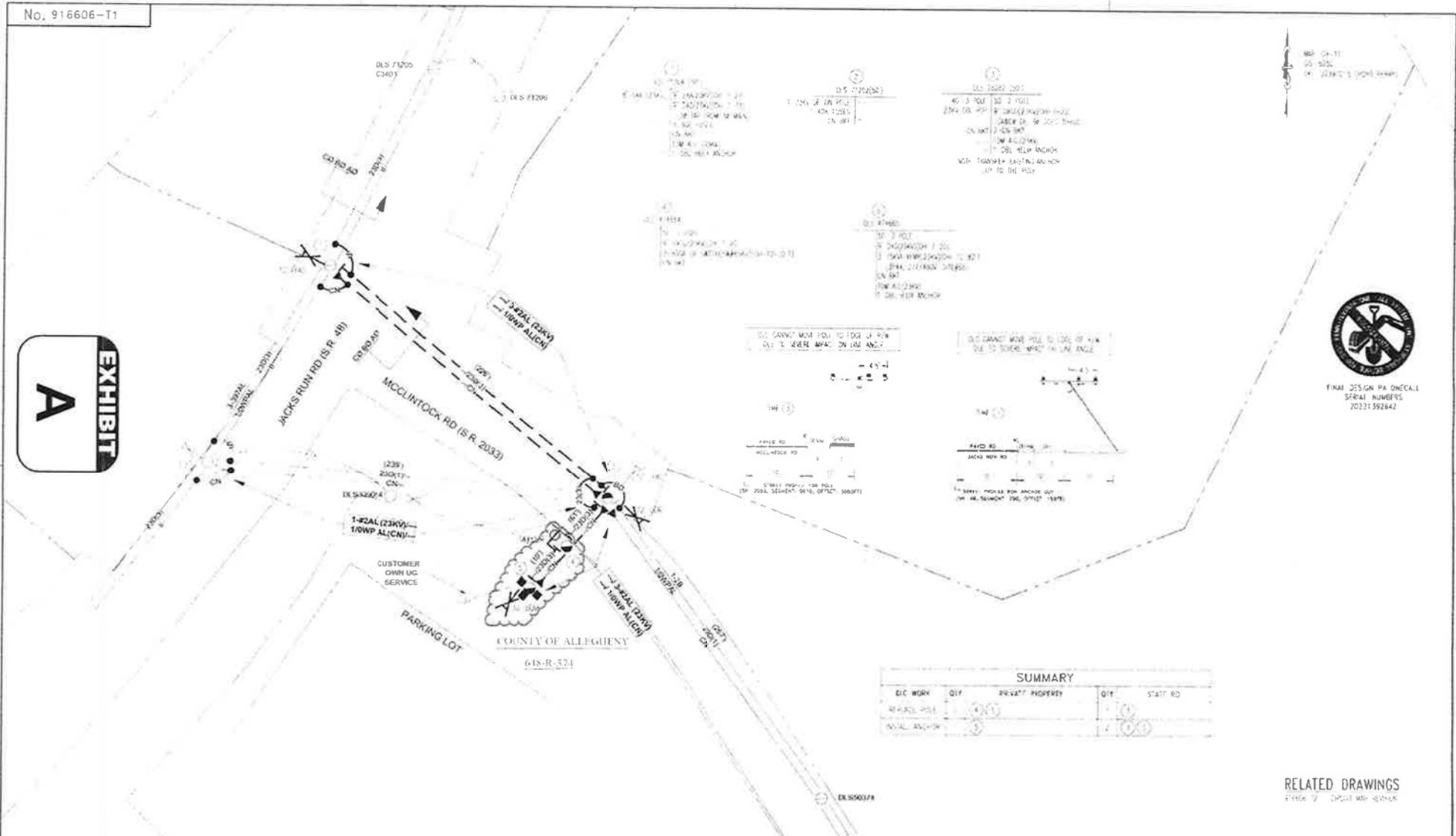
By: William D. McKain 7-20-22
William D. McKain, County Manager Date

APPROVED AS TO FORM:

Andrew F. Szef
Andrew F. Szef, Esq., County Solicitor Date

Bill Paul 7-13-2022
Assistant County Solicitor Date
Legal Administrator

A
EXHIBIT



SUMMARY				
DIC. WORK	DIT	PRIVATE PROPERTY	DIT	STAT. RD.
REPLACE POLE	1	1	1	1
INSTALL SERVICE	1	1	1	1

RELATED DRAWINGS
 916606-T2 (SHEET 2 OF 2)



DLS DUQUESNE LIGHT CO.		NEW BUSINESS WHITE OAK PARK MODULAR REPAIR WHITE OAK PARK	
PROJECT NO. 2022-0049 DATE 5/15/2022	BY CHARLES J. VITO TITLE: ENGINEER	PROJECT NO. 2022-0049 DATE 5/15/2022	PROJECT NO. 2022-0049 DATE 5/15/2022
APPROVED By Charles J Vito Esq on 5/17/2022		D	N.T.S. 20-0049 916606-T1 0