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March 13, 2023

Via Electronic Filing

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

**Re: Petition of Duquesne Light Company for Approval to Modify its Supplier Master Agreement
Docket No. P-2023-3037630**

Dear Secretary Chiavetta:

This letter is filed consistent with the Pennsylvania Public Utility Commission's ("Commission") Order entered March 2, 2023, in the above-captioned docket ("Order"). The Order approved the *Petition of Duquesne Light Company for Approval to Modify its Supplier Master Agreement* ("Petition") to use a Capacity Proxy Price ("CPP") in its upcoming March 21, 2023, procurement of default supply.

Ordering Paragraph 2 of the Order provides "That Duquesne Light Company is directed to file a compliance tariff supplement as necessary, on at least one-days' notice, to update the terms of the Default Service Plan in the company's tariff." No modifications to the Company's tariff are necessary to implement the CPP; therefore, the Company is filing this letter in lieu of a compliance tariff supplement.

The Company is also filing this letter to notify the Commission and parties that it does not plan to use a CPP in its upcoming March 21, 2023, default supply procurement, because PJM recently mooted the issue by concluding the BRA and publishing results. On February 21, 2023, the Federal Energy Regulatory Commission ("FERC") approved the PJM tariff filing that formed the basis of recent delays in the 2024/2025 BRA.¹ Consistent with FERC's Order, PJM published BRA results – thereby establishing an actual capacity price for the 2024/2025 delivery year – on February 28, 2023.²

¹ *PJM Interconnection, LLC*, Order on Proposed Tariff Revisions and Dismissing Complaint, issued February 21, 2023 at Docket Nos. ER23-729, EL23-19.

² See <https://pjm.com/markets-and-operations/rpm.aspx>.



PJM’s conclusion of the BRA for the 2024/2025 delivery year obviates the need for a CPP for the Company’s March 2023 default supply procurement.³ As the Company explained in its Petition, the CPP is used to mitigate unpriced capacity periods, which no longer pertains to the 2024/2025 delivery year.⁴ Consistent with the Company’s Petition, the Company also intends to notify potential RFP participants that the CPP will not be used in this procurement.⁵ The Company did not have an opportunity to seek to withdraw its Petition as moot because PJM published BRA results only two days before the public meeting at which the Commission issued the Order.

Please do not hesitate to contact me should you have any questions.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "Michael W. Zimmerman".

Michael W. Zimmerman
Manger & Assistant General Counsel,
Regulatory Law

Enclosures
cc: Certificate of Service

³ The BRA results released on February 28, 2023, were final results, not “indicative” results that could have been used as a CPP under the Order. The Company recognizes that parties may seek reconsideration or appeal of FERC’s Order accepting PJM’s tariff filing, and may seek to have the BRA results overturned or modified. However, the possibility of such a hypothetical appeal does not constitute grounds to treat the published BRA results as speculative or otherwise warranting the use of a CPP.

⁴ See Petition ¶37.

⁵ Petition ¶35(c) (“No later than March 20, 2023, Duquesne Light will notify all potential RFP participants of the final value of the CPP **(if any)**, and which Appendix H.1 or H.2 to the SMA **(if either)**, will be used in the March 2023 procurement”) (emphasis added).

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):

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Date: March 13, 2023

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