



COMMONWEALTH OF PENNSYLVANIA

April 5, 2024

**E-FILED**

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

**Re: Pennsylvania Public Utility Commission v. Duquesne Light Company / Docket No.  
R-2024-3046523**

Dear Secretary Chiavetta:

Enclosed please find the Complaint, Public Statement, and Verification, on behalf of the Office of Small Business Advocate (“OSBA”), in the above-captioned proceeding.

Copies will be served on all known parties in this proceeding, as indicated on the attached Certificate of Service.

If you have any questions, please do not hesitate to contact me.

Sincerely,

*/s/ Sharon E. Webb*

Sharon E. Webb  
Assistant Small Business Advocate  
Attorney ID No. 73995

*Enclosures*

cc: Robert D. Knecht  
Parties of Record

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Pennsylvania Public Utility Commission** : **Docket No. R-2024-3046523**  
**v.** :  
**Duquesne Light Company** :

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**COMPLAINT OF THE  
OFFICE OF SMALL BUSINESS ADVOCATE**

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1. The Complainant is:

NazAarah Sabree  
Small Business Advocate  
Office of Small Business Advocate  
Forum Place  
555 Walnut Street, 1<sup>st</sup> Floor  
Harrisburg, Pennsylvania 17101  
(717) 783-2525  
(717) 783-2831 (fax)  
[ra-sba@pa.gov](mailto:ra-sba@pa.gov)

2. The names and addresses of the Complainant's attorneys are as follows:

Sharon E. Webb  
Assistant Small Business Advocate  
Office of Small Business Advocate  
Forum Place  
555 Walnut Street, 1<sup>st</sup> Floor  
Harrisburg, Pennsylvania 17101  
(717) 783-2525  
(717) 783-2831 (fax)  
[swebb@pa.gov](mailto:swebb@pa.gov)

Rebecca Lyttle  
Assistant Small Business Advocate  
Office of Small Business Advocate  
Forum Place  
555 Walnut Street, 1<sup>st</sup> Floor  
Harrisburg, Pennsylvania 17101  
(717) 783-2525  
(717) 783-2831 (fax)  
[relyttle@pa.gov](mailto:relyttle@pa.gov)

3. The respondent utility is:

Duquesne Light  
411 Seventh Avenue  
8<sup>th</sup> Floor  
Pittsburgh, Pennsylvania 15219

4. The Complainant is authorized and directed by the Small Business Advocate Act, Act 181 of 1988, 73 P.S. §§ 399.41 - 399.50, to represent the interests of small business consumers of utility services in matters before the Pennsylvania Public Utility Commission (“Commission”).

5. This Complaint is filed against the rates, terms and other provisions of Supplement No 71 to Tariff Electric –PA PUC No. 25, which was filed on March 20, 2024, by Duquesne Light Company (“Duquesne” or the “Company”). The proposed Tariff, if approved by the Commission, would increase the total distribution rates of Duquesne by \$133 million per, offset by reductions of \$32 million per year in charges, including zeroing out of the Company’s Distribution System Improvement Charge, resulting with a return on equity of 11.5%<sup>1</sup>. After preliminary review of the materials filed by the Company in support of the proposed Tariff, Complainant believes, and therefore avers, that those materials may be insufficient to justify the rate increase requested and that the Company’s present and proposed rates, rules, and conditions of service may be unjust, unreasonable, unduly discriminatory, and otherwise contrary to law, particularly as they pertain to small business customers.

6. Complainant believes, and therefore avers, that Duquesne’s proposed rates, rate design, and cost and revenue allocation are or may be unjust, unreasonable, and unlawfully discriminatory in violation of, *inter alia*, Sections 1301 and 1304 of the Public Utility Code, 66 Pa.C.S. §§1301 and 1304, and contrary to appropriate public policy and sound ratemaking considerations, and may not be supported by the materials filed by Duquesne.

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<sup>1</sup> DLC Statement No. 11, Direct Testimony of Paul R. Moul, p. 3.

7. In view of the foregoing, the Small Business Advocate respectfully requests that the Pennsylvania Public Utility Commission:

- A. Suspend and investigate the operation of Supplement No, 71 to PA PUC Tariff No. 25;
- B. At the conclusion of such investigation, reject the proposed new rates and other tariff changes in Supplement No. 71 to the extent required to ensure that Duquesne's rates are lawful, just, reasonable and not unduly discriminatory; and
- C. Grant such other relief as may be necessary or appropriate.

Respectfully submitted,

*/s/ Sharon E. Webb*

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Sharon E. Webb  
Assistant Small Business Advocate  
Attorney ID # 73995

Office of Small Business Advocate  
Forum Place  
555 Walnut Street, 1<sup>st</sup> Floor  
Harrisburg, PA 17101  
(717) 783-2525  
(717) 783-2831 (fax)

Dated: April 5, 2024

**BEFORE THE  
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**PUBLIC STATEMENT OF THE  
OFFICE OF SMALL BUSINESS ADVOCATE**

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The Small Business Advocate is authorized and directed to represent the interest of small business consumers of utility services in Pennsylvania under the provisions of the Small Business Advocate Act, Act 181 of 1988, 73 P.S. §§ 399.41 - 399.50 (“Act”). The Act further provides that the Small Business Advocate is to issue publicly a written statement stating concisely the specific interest of small business consumers to be protected by initiation of or intervention in any proceeding involving those interests before the Pennsylvania Public Utility Commission (“Commission”) or any other agency or court. This public statement relates to the filing today by the Small Business Advocate of a complaint against the proposed general base rate increase filing of March 20, 2024, by Duquesne Light Company (“Duquesne” or the “Company”).

The Small Business Advocate is filing this formal complaint against the Company’s proposed general base rate increase in order to protect the interests of the Company’s small business customers. A thorough inquiry by the Commission into all of the elements of the Company’s proposed general base rate increase is necessary to ensure that the increase is lawful, just, reasonable, and not unduly discriminatory.

In view of the foregoing, the Small Business Advocate will participate in proceedings before the Commission to investigate the reasonableness of the proposed base rate increase. The

Small Business Advocate will ask the Commission to deny any proposed new rates and other tariff changes that apply to small business customers that are not proven by Duquesne to be lawful, just, reasonable, and not unduly discriminatory.

Dated: April 5, 2024

**VERIFICATION**

I, NazAarah Sabree, hereby state that the facts set forth herein above are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

Date: April 5, 2024

  
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(Signature)

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Pennsylvania Public Utility Commission** : **Docket No. R-2024-3046523**  
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**CERTIFICATE OF SERVICE**

I hereby certify that true and correct copies of the foregoing have been served via email (*unless otherwise noted below*) upon the following persons, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

The Honorable Charles E. Rainey Jr.  
Chief Administrative Law Judge  
Pennsylvania Public Utility Commission  
400 North Street  
Commonwealth Keystone Building  
Harrisburg, PA 17120  
[crainey@pa.gov](mailto:crainey@pa.gov)

Carrie B. Wright, Esquire  
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400 North Street  
Commonwealth Keystone Building  
Harrisburg, PA 17120  
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Christy M. Appleby, Esquire  
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Pittsburgh, PA 15219  
[twilliams@duqlight.com](mailto:twilliams@duqlight.com)

Ria M. Pereira, Esquire  
John Sweet, Esquire  
Lauren N. Berman, Esquire  
Pennsylvania Utility Law Project  
118 Locust Street  
Harrisburg, PA 17101  
[PULP@pautilitylawproject.org](mailto:PULP@pautilitylawproject.org)

DATE: April 5, 2024

/s/ Sharon E. Webb  
Sharon E. Webb  
Assistant Small Business Advocate  
Attorney I.D. No. 73995