May 17, 2012

Re: Petition of Duquesne Light Company For Approval of Default Service Plan For the Period June 1, 2013 through May 31, 2015 Docket No. P-2012-2301664

Dear Secretary Chiavetta:

I am delivering for filing today the original plus three copies of the Notice of Intervention, Answer, Verification, Public Statement, and Notice of Appearance, on behalf of the Office of Small Business Advocate, in the above-captioned proceeding.

Two copies have been served today on all known parties in this proceeding. A Certificate of Service to that effect is enclosed.

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

Sincerely,

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

Enclosures

cc: Parties of Record

Brian Kalcic
Pursuant to 52 Pa. Code §5.61(a), the Office of Small Business Advocate (“OSBA”) files this Answer to the Petition of Duquesne Light Company (“Duquesne” or “Company”) for Approval of Default Service Plan for the Period June 1, 2013 through May 31, 2015 (“Petition”) that was filed with the Pennsylvania Public Utility Commission (“Commission”) on April 27, 2012, and avers the following in support thereof:

1. The OSBA is an agency of the Commonwealth of Pennsylvania authorized by the Small Business Advocate Act (Act 181 of 1988, 73 P.S. §§ 399.41 - 399.50) to represent the interest of small business consumers as a party in proceedings before the Commission.

2. Duquesne proposes to acquire electricity for customers in the Residential and Lighting classes through 12-month full requirements, load-following contracts. See Petition, para. 6 and 7. Except for Lighting customers, Duquesne would acquire electricity to serve non-residential default service customers with maximum peak demands of less than 25 kW through laddered, full-requirements, load-following contracts. See Petition, para. 18-19. Duquesne would acquire electricity to serve non-residential default service customers with maximum peak demands of equal to or greater
than 25 kW but less than 300 kW through non-laddered, full-requirements, load-following contracts. See Petition, para. 26-27. Duquesne would continue serving default customers with maximum peak demands of 300 kW or higher through hourly pricing. See Petition, para. 32.

3. Duquesne would conduct separate procurements for Small Commercial and Industrial (“C&I”) customers and Medium C&I customers. Small C&I customers have maximum peak demands of less than 25 kW while Medium C&I customers have maximum peak demands of at least 25 kW but less than 300 kW. See Petition, para. 18, 19 and 26.

4. Duquesne also would impose a cap on the number of Residential, Small C&I and Medium C&I tranches awarded to the same wholesale supplier. See Petition, para. 35.

5. Duquesne is proposing an Opt-In EGS Service Program for Residential customers. All costs associated with the Opt-In EGS Service Program would be recovered from winning EGSs. See Petition, para. 53 and 59.

6. Duquesne is proposing a Standard Offer Customer Referral Program for Residential customers. All costs associated with the Standard Offer Customer Referral Program would be recovered through an increase in the Company’s residential Purchase of Receivables discount. See Petition, para. 64 and 71.

7. Duquesne is not proposing to implement a New/Moving Customer Referral Program in its Petition. Instead, Duquesne proposes to work with interested parties to implement a New/Moving Customer Referral Program in the fourth quarter of
2012, and would separately make any filings necessary to implement this program. See Petition, para. 72.

8. The OSBA agrees that Duquesne should acquire default service electricity for Small and Medium C&I customers through full-requirements, load-following contracts. The OSBA also agrees that Duquesne should impose a load cap. However, the OSBA reserves the right to comment on the details of these, and other, provisions of Duquesne's Petition after the OSBA has had the opportunity to engage in discovery.
WHEREFORE, the Office of Small Business Advocate respectfully requests the Commission to direct the Office of Administrative Law Judge to hold hearings on Duquesne's default service plan and prepare a Recommended Decision.

Respectfully submitted,

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

For: Steven C. Gray
Acting Small Business Advocate
Attorney ID No. 77538
VERIFICATION

I, Steven C. Gray, 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: May 17, 2012

(Signature)

RECEIVED

MAY 17 2012

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU
BEFORE THE 
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Petition of Duquesne Light Company : For Approval of Default Service Plan : For the Period June 1, 2013 through : May 31, 2015 : Docket No. P-2012-2301664

RECEIVED
MAY 17, 2012

PUBLIC STATEMENT OF
THE OFFICE OF SMALL BUSINESS ADVOCATE

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 his initiation of or intervention in any proceeding involving those interests before the 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 Notice of Intervention in the above-captioned proceeding and an Answer to the Petition of Duquesne Light Company (“Duquesne” or “Company”) for Approval of a Default Service Plan for the Period June 1, 2013 through May 31, 2015 (“Petition”) that was filed with the Commission on April 27, 2012.

The Small Business Advocate is intervening in this case 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 default service program is necessary to ensure that Duquesne properly acquires electric generation supplies for the Company’s small and medium commercial and industrial customers.
In view of the foregoing, the Small Business Advocate will participate in proceedings before the Commission to investigate the proposed default service program set forth in the Petition.

Dated: May 17, 2012
BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Petition of Duquesne Light Company for Approval of Default Service Plan for the Period June 1, 2013 Through May 31, 2015 Docket No. P-2012-2301664

CERTIFICATE OF SERVICE

I certify that I am serving two copies of the Notice of Intervention, Answer, Verification, Public Statement, and Notice of Appearance, on behalf of the Office of Small Business Advocate, by e-mail and first-class mail (unless otherwise noted) upon the persons addressed below:

Hon. Katrina L. Dunderdale
Administrative Law Judge
Pa. Public Utility Commission
301 Fifth Avenue - #220
Pittsburgh, PA 15222
(412) 565-3550
(412) 565-5692 (fax)
kdunderdale@pa.gov

Irwin A. Popowsky, Esquire
Jennedy S. Johnson, Esquire
David T. Evrard, Esquire
Office of Consumer Advocate
555 Walnut Street - 5th Floor
Harrisburg, PA 17101-1923
(717) 783-5048
(717) 783-7152 (fax)
spopowsky@paoca.org
jjohnson@paoca.org
devrard@paoca.org
(E-mail and Hand Delivery)

Johnnie E. Simms, Esquire
Charles Daniel Shields, Esquire
Bureau of Investigation and Enforcement
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265
(717) 787-1976
(717) 772-2677
josimms@pa.gov
chshields@pa.gov
(E-mail and Hand Delivery)

Michael W. Gang, Esquire
Anthony D. Kanagy, Esquire
Post & Schell, PC
17 North Second Street - 12th floor
Harrisburg, PA 17101-1601
(717) 731-1970
(717) 731-1985 (fax)
mgang@postschell.com
akanagy@postschell.com

Todd S. Stewart, Esquire
Hawke McKeon & Sniscak, LLP
100 North 10th Street
P. O. Box 1778
Harrisburg, PA 17101
(First-class Mail Only)

David T. Fisfis
Krysia Kubiak
Duquesne Light Company
411 Seventh Avenue
Pittsburgh, PA 15219
(412) 393-6924
(412) 393-5897 (fax)
dfisfis@duqlight.com
kkubiak@duqlight.com
Duquesne Light Energy, LLC
411 Seventh Avenue - Mail Drop 7-6
Pittsburgh, PA 15219
(First-class Mail Only)

Energetix, Inc.
31 Lewis Street - #401
Binghamton, NY 13901
(First-class Mail Only)

GDF Suez Energy Resources NA
1990 Post Oak Blvd. - #1900
Houston, TX 77056
(First-class Mail Only)

Glacial Energy of PA, Inc.
5326 Yacht Have Grande
Box 36
St. Thomas, VI 00802
(First-class Mail Only)

IDT Energy, Inc.
20 West Third Street - #10
Jamestown, NY 14702
(First-class Mail Only)

IGS Energy
6100 Emerald Parkway
Dublin, OH 43016
(First-class Mail Only)

Independence Energy Group, LLC
3711 Market Street - #1000
Philadelphia, PA 19104
(First-class Mail Only)

Liberty Power Holdings, LLC
1901 West Cypress Creed Road - #501
Fort Lauderdale, FL 33309
(First-class Mail Only)

MidAmerican Energy Company
4299 NW Urbandale Drive
Urbandale, IA 50322
(First-class Mail Only)

Pamela C. Polacek, Esquire
McNees Wallace & Nurick
100 Pine Street
P.O. Box 1166
Harrisburg, PA 17108-1166
(717) 232-8000
(717) 260-1730 (fax)
ppolacek@mwn.com

Allegheny Energy Supply Co., LLC
800 Cabin Hill Drive
Greensburg, PA 15601
(First-class Mail Only)

Ambit Energy
1801 N. Lamar Street - #200
Dallas, TX 75202
(First-class Mail Only)

American Power Partners, LLC
8205 Main Street - #11
Buffalo, NY 14221
(First-class Mail Only)

AP Gas & Electric (PA), LLC
6161 Savoy Drive - #500
Houston, TX 77036
(First-class Mail Only)

Conoco Phillips Company
600 North Dairy Ashford (CH2070A)
Houston, TX 77079-1175
(First-class Mail Only)

Consolidated Edison Solutions
100 Summit Lake Drive - #410
Valhalla, NY 10595-1356
(First-class Mail Only)

Constellation NewEnergy, Inc.
111 Market Place - 11th floor
Baltimore, MD 21202
(First-class Mail Only)

Direct Energy Services, LLC
2319 Witney Avenue - 4th Floor
Hamden, CT 06518-3534
(First-class Mail Only)
NextEra Energy Services PA, LLC
20455 SH 249 - #200
Houston, TX 77070
(First-class Mail Only)

Oasis Energy
11152 Westheimer Road - #901
Houston, TX 77042
(First-class Mail Only)

PEPCO Energy Services, Inc.
1300 North 17th Street - #1600
Arlington, VA 22209
(First-class Mail Only)

PPL EnergyPlus, LLC
Two North Ninth Street
Allentown, PA 18101
(First-class Mail Only)

Public Power, LLC
39 Old Ridgebury Road - #14
Danbury, CT 06810-5100
(First-class Mail Only)

Reliant Energy Northeast, LLC
P. O. Box 836
New Roads, LA 70769
(First-class Mail Only)

Respond Power, LLC
100 Dutch Hill Road - #310
Orangeburg, NY 10962
(First-class Mail Only)

Sperian Energy Corp.
2605 Camino Del Rio South
San Diego, CA 92108
(First-class Mail Only)

Starion Energy PA Inc.
220 Main Street South - #206
Southbury, CT 06488
(First-class Mail Only)

Stream Energy
1500 Market Street - 12th floor, East Tower
Philadelphia, PA 19102
(First-class Mail Only)

Dominion Energy Solutions
120 Tredegar Street - #500
Richmond, VA 23219
(First-class Mail Only)

Energy Plus Holdings, LLC
3711 Market Street - #910
Philadelphia, PA 19104
(First-class Mail Only)

FirstEnergy Solutions Corp.
FirstEnergy Services Corp.
341 White Pond Drive
Akron, OH 44320
(First-class Mail Only)

Great American Power
2959 Cherokee Street - #102
Kennesaw, GA 30144
(First-class Mail Only)

Hess Corporation
1 Hess Plaza
Woodbridge, NJ 07095-0961
(First-class Mail Only)

Hudson Energy Services
P. O. Box 142109
Irving, TX 75104
(First-class Mail Only)

Integrys Energy Services, Inc.
1716 Lawrence Drive
DePere, WI 54115
(First-class Mail Only)

Just Energy Pennsylvania Corp.
6345 Dixie Road - #200
Mississauga, Ontario L5T 2E6
Canada
(First-class Mail Only)

Linde Energy Services, Inc.
1 Greenwich Street - #200
Stewartsville, NJ 08886
(First-class Mail Only)
Texas Retail Energy, LLC  
2001 S. E. 10th Street  
Bentonville, AR 71716  
(First-class Mail Only)

Think Energy  
1990 Post Oak Blvd. - #1900  
Lehigh Valley, PA 18002  
(First-class Mail Only)

Employers’ Energy Alliance of PA, Inc.  
2171 West 38th Street  
Erie, PA 16508  
(First-class Mail Only)

Planet Energy (PA) Corp.  
800 - 10 Kingsbridge Garden Circle  
Mississauga, Ontario L5R 3K6  
Canada  
(First-class Mail Only)

The Royal Bank of Scotland  
401 West A Street - #500  
San Diego, CA 92101  
(First-class Mail Only)

Tobelmann Energy Brokers, Inc.  
5401 Lister Court  
Chester Springs, PA 19425  
(First-class Mail Only)

Your Choice Energy, LLC  
1616 Batchelor Court  
Dunedin, FL 34698  
(First-class Mail Only)

Green Mountain Energy  
300 West 6th Street - 9th Floor  
Austin, TX 78701  
(First-class Mail Only)

Blue Pilot Energy  
250 Pilot Road - #300  
Las Vegas, NV 89119  
(First-class Mail Only)

Noble Americas Energy Solution  
401 West A Street - #500  
San Diego, CA 92101  
(First-class Mail Only)

North American Power and Gas  
One Marshall Street - #205  
Norwalk, CT 06854  
(First-class Mail Only)

Palmco Power PA, LLC  
1350 60th Street  
Brooklyn, NY 11219  
(First-class Mail Only)

Pennsylvania Gas & Electric  
290 N. W. 165th Street - PH5  
N. Miami Beach, FL 33169  
(First-class Mail Only)

TriEagle Energy, LP  
2620 Technology Forest Drive  
The Woodlands, TX 77381  
(First-class Mail Only)

U. S. Energy Partners, LLC  
400 WillowBrook Office Park  
Fairport, NY 14450  
(First-class Mail Only)

UGI Energy Services, Inc.  
One Meridian Blvd. - #2C01  
Wyomissing, PA 19610  
(First-class Mail Only)

Viridian Energy PA, LLC  
64 North Main Street  
Norwalk, CT 06854  
(First-class Mail Only)

Washington Gas Energy Services, Inc.  
13865 Sunrise Valley Drive - #200  
Herndon, VA 20171  
(First-class Mail Only)

Plymouth Rock Energy Corp.  
1074 Broadway  
Woodmere, NY 11598  
(First-class Mail Only)
ResCom Energy, LLC
20 East Avenue
Bridgeport, CT 06610
(First-class Mail Only)

Verde Energy USA, Inc.
101 Merritt 7 - 3rd Floor
Norwalk, CT 06851
(First-class Mail Only)

Community Energy
201 King of Prussia Road - #550
Radnor, PA 19087
(First-class Mail Only)

Spark Energy, LP
2105 CityWest Blvd. - #100
Houston, TX 77042
(First-class Mail Only)

Better Cost Control
2274 Washington Street
Newton, MA 02462
(First-class Mail Only)

PJM Interconnection, LLC
955 Jefferson Avenue
Valley Forge Corporate Center
Norristown, PA 19403-2497
(First-class Mail Only)

Date: May 17, 2012

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