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May 21, 2018

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

### VIA ELECTRONIC FILING

#### RE: Pennsylvania PUC v. Duquesne Light Company; Docket No. R-2018-3000124; C-2018-30001713

Dear Secretary Chiavetta:

Enclosed for filing with the Pennsylvania Public Utility Commission please find Duquesne Industrial Intervenors' ("DII") amendment to its Complaint in the above-referenced proceeding. The purpose of this amendment is to update the list of DII members included in the Complaint. Since filing the Complaint, Duquesne University and Linde Energy Services, Inc. have joined DII. This filing therefore amends Paragraph 1 and Appendix A of the DII Complaint to include all current DII members.

As evidenced by the attached Certificate of Service, all parties to this proceeding are being duly served with a copy of this document. Thank you.

Very truly yours,

McNEES WALLACE & NURICK LLC

By

Matthew L. Garber

Counsel to the Duquesne Industrial Intervenors

Enclosures

c: Administrative Law Judge Katrina L. Dunderdale (via E-Mail and First-Class Mail) Certificate of Service

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#### CERTIFICATE OF SERVICE

I hereby certify that I am this day serving a true copy of the foregoing document upon the participants listed below in accordance with the requirements of 52 Pa. Code Section 1.54 (relating to service by a participant).

#### VIA E-MAIL AND FIRST-CLASS MAIL

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### VIA FIRST-CLASS MAIL

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Sharon E. Webb Office of Small Business Advocate 300 North Second Street, Suite 202 Harrisburg, PA 17101 C. James Davis, Director Duquesne Light Company 411 7<sup>th</sup> Avenue Mail Drop 15-5 Pittsburgh, PA 15219

Matthew L. Garber

Counsel to the Duquesne Industrial Intervenors

Dated this 21st day of May, 2018, at Harrisburg, Pennsylvania

#### BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Pennsylvania Public Utility Commission	:	R-2018-3000124
Office of Consumer Advocate	:	C-2018-3001029
Jason Dolby	:	C-2018-3001074
Peoples Natural Gas Company LLC	:	C-2018-3001152
James Fedell	:	C-2018-3001473
Office of Small Business Advocate	:	C-2018-3001566
Duquesne Industrial Intervenors	:	C-2018-3001713
	:	
V.	:	
	:	
Duquesne Light Company	:	
1308(d) Proceeding	:	

# AMENDMENT TO COMPLAINT BY DUQUESNE INDUSTRIAL INTERVENORS

TO THE HONORABLE, THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

1. On May 7, 2018, pursuant to Section 701 of the Pennsylvania Public Utility Code, 66 Pa. C.S. § 701, and Sections 5.21 and 5.22 of the Pennsylvania Public Utility Commission's ("PUC" or "Commission") regulations, 52 Pa. Code §§ 5.21 & 5.22, the Duquesne Industrial Intervenors ("DII" or "Complainant") submitted its Complaint ("DII Complaint") against Supplement No. 174 to Tariff Electric – Pa. PUC No. 24 ("Supplement No. 174").

2. On May 3, 2018, Administrative Law Judge ("ALJ") Katrina L. Dunderdale consolidated the DII Complaint and five other complaints into Duquesne Light Company's ("Duquesne Light") rate proceeding docketed at No. R-2018-3000124.

3. Since the submission of the Complaint, Duquesne University and Linde Energy Services, Inc. ("Linde") joined DII for the purpose of participating in this proceeding. Duquesne University and Linde intend to participate in this proceeding as members of DII.

4. Duquesne University and Linde are energy-intensive institutional, commercial, or industrial customers receiving electric service from Duquesne Light's service territory. Duquesne

University takes service from Duquesne Light on several rate schedules, including Rider 16. Linde is served on Duquesne Light's large commercial and industrial rate schedule.<sup>1</sup> Like other DII members, Duquesne University and Linde use substantial amounts of electricity, and any modification to Duquesne Light's terms of service may have a significant impact on all DII members' cost of doing business.

5. Pursuant to Sections 5.91 of the Commission's regulations, DII hereby amends the DII Complaint, modifying Paragraph 1 and Appendix A of the DII Complaint to include Duquesne University and Linde as members of DII.

6. Paragraph 1 of the DII Complaint shall be amended to read as follows: The Complainant is DII, which, for purposes of this proceeding, includes:

> University of Pittsburgh United States Steel Corporation Duquesne University Linde Energy Services, Inc.

Current members of DII are also listed in Appendix A attached hereto. DII will update Appendix A throughout the course of this proceeding, as necessary.

7. Appendix A of the DII Complaint shall be amended to include Duquesne University and Linde in its list of DII members for purposes of this proceeding. A copy of the amended Appendix A is attached hereto.

<sup>&</sup>lt;sup>1</sup> Linde's account with Duquesne Light remains in the name BOC Gases.

**WHEREFORE,** the Duquesne Industrial Intervenors request that the Complaint of the Duquesne Industrial Intervenors be amended as described herein, that Duquesne Light Company be required to answer this Complaint, as amended, and that upon a final hearing, the Pennsylvania Public Utility Commission make such Order as it deems necessary and appropriate.

Respectfully submitted,

McNEES WALLACE & NURICK LLC

By

Pamela C. Polacek (Pa. I.D. No. 78276) Matthew L. Garber (Pa. I.D. No. 322855) McNEES WALLACE & NURICK LLC 100 Pine Street, P.O. Box 1166 Harrisburg, PA 17108-1166 Phone: (717) 232-8000 Fax: (717) 237-5300 ppolacek@mcneeslaw.com mgarber@mcneeslaw.com

Counsel to the Duquesne Industrial Intervenors

Dated: May 21, 2018

#### AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA ) ) SS: COUNTY OF DAUPHIN )

Matthew L. Garber, being duly sworn according to law, deposes and says that he is counsel to the Duquesne Industrial Intervenors ("DII"), and that in this capacity he is authorized to and does make this Affidavit for them, and that the facts set forth in the foregoing Amendment to the DII Complaint are true and correct to the best of his knowledge, information, and belief.

Matthew L. Garber

SWORN TO and subscribed

before me this 21st day of

May, 2018.

Notary Public

COMMONWEALTH OF PENNSYLVANIA

NOTARIAL SEAL Lisa R. Barker, Notary Public City of Harrisburg. Dauphin County My Commission Expires Nov. 5, 2020

# APPENDIX A

# MEMBERS OF THE DUQUESNE INDUSTRIAL INTERVENORS

University of Pittsburgh

United States Steel Corporation

Duquesne University

Linde Energy Services, Inc.