



17 North Second Street
12th Floor
Harrisburg, PA 17101-1601
717-731-1970 Main
717-731-1985 Main Fax
www.postschell.com

Garrett P. Lent
Associate

glent@postschell.com
717-612-6032 Direct
717-731-1979 Direct Fax
File #: 166407

June 28, 2019

VIA ELECTRONIC FILING

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor North
P.O. Box 3265
Harrisburg, PA 17105-3265

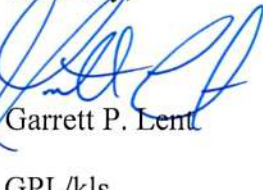
**Re: Application of Duquesne Light Company for Waiver of Provisions of the
Pennsylvania Public Utility Commission's Regulations at 52 Pa. Code Section 57.71
et seq., for the Siting and Construction of Six Structures on an Existing
Transmission Line
Docket No. A-2019-3008589, C-2019-3010833, C-2019-3010963**

Dear Secretary Chiavetta:

Enclosed for filing is Duquesne Light Company's Motion to Consolidate in the above-referenced proceeding. Copies will be provided per the Certificate of Service

Thank you.

Sincerely,



Garrett P. Lent

GPL/kl
Enclosures

cc: Honorable Mary D. Long
Certificate of Service

ALLENTOWN HARRISBURG LANCASTER PHILADELPHIA PITTSBURGH PRINCETON WASHINGTON, D.C.

A PENNSYLVANIA PROFESSIONAL CORPORATION

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of Duquesne Light Company :
 filed Pursuant to 52 Pa. Code Chapter 57, :
 Subchapter G, for Approval of the Siting and : Docket No. A-2019-3008589
 Construction of the 138 kV Transmission :
 Lines Associated with the **Brunot Island –** :
Crescent Project in the City of Pittsburgh, :
 McKees Rocks Borough, Kennedy :
 Township, Robinson Township, Moon :
 Township, and Crescent Township, :
 Allegheny County, Pennsylvania :

Aaron Siegel and Rebecca Siegel (Braund), : Docket Nos. C-2019-3010833
 Dennis J. and Jeanne M. Zona, : Docket Nos. C-2019-3010963
 John P. and Jennifer Crowe, : Docket Nos. C-2019-_____
 John P. and Jennifer Crowe, : Docket Nos. C-2019-_____
 Victoria Adams, : Docket Nos. C-2019-_____
 Folezia Marinkovic, : Docket Nos. C-2019-_____
 Richard Gable, : Docket Nos. C-2019-_____
 Joseph G. and Suzanna Robosky, : Docket Nos. C-2019-_____
 Cynthia and Patrick Wilson, : Docket Nos. C-2019-_____
 Zachariah R. Nave, : Docket Nos. C-2019-_____

Complainants, :

v. :

Duquesne Light Company, :

Respondent. :

**MOTION TO CONSOLIDATE AND ESTABLISH A PROCEDURAL SCHEDULE OF
DUQUESNE LIGHT COMPANY**

TO THE HONORABLE ADMINISTRATIVE LAW JUDGE MARY D. LONG:

Pursuant to Section 5.81 of the Pennsylvania Public Utility Commission’s (“Commission”) regulations, 52 Pa. Code § 5.81(a), Duquesne Light Company (“Duquesne

Light” or the “Company”) files this Motion to Consolidate the Complaints of Aaron Siegel and Rebecca Siegel (Braund) (Docket No. C-2019-3010833), Dennis J. and Jeanne M. Zona (Docket No. C-2019-3010963), John P. and Jennifer Crowe, Victoria Adams, Folezia Marinkovic, Richard Gable, Joseph G. and Suzanna Robosky, Cynthia and Patrick Wilson and Zachariah R. Nave (collectively, the “Complaints” or “Protestants”)¹ with the BI-Crescent Full Siting Application. In addition, Duquesne Light respectfully moves pursuant to Section 5.101 of the Commission’s regulations, 52 Pa. Code § 5.101, that the litigation schedule proposed herein be adopted in the consolidated proceedings.

In support therefor, Duquesne Light represents the following:

1. Duquesne Light is a “public utility” and an “electric distribution company” as those terms are defined under the Public Utility Code, 66 Pa. C.S. §§ 102 and 2803, subject to the regulatory jurisdiction of the Commission.
2. Duquesne Light furnishes electric service to approximately 596,000 customers throughout its certificated service territory, which includes all or portions of Allegheny and Beaver Counties and encompasses approximately 800 square miles in western Pennsylvania.
3. On March 15, 2019, Duquesne Light filed: (1) “Application of Duquesne Light Company filed Pursuant to 52 Pa. Code Chapter 57, Subchapter G, for Approval of the Siting and Construction of the 138 kV Transmission Lines Associated with the Brunot Island – Crescent Project in the City of Pittsburgh, McKees Rocks Borough, Kennedy Township, Robinson Township, Moon Township, and Crescent Township, Allegheny County, Pennsylvania,” at Docket No. A-2019-3008589 (“BI-Crescent Full Siting Application”); and (2)

¹ While the Company has received the Complaints of John P. and Jennifer Crowe, Victoria Adams, Folezia Marinkovic, Richard Gable, Joseph G. and Suzanna Robosky, Cynthia and Patrick Wilson and Zachariah R. Nave, these documents have not yet been assigned individual docket numbers by the Commission.

“Application of Duquesne Light Company Under 15 Pa.C.S. § 1511(c) For A Finding and Determination That the Service to be Furnished by the Applicant Through Its Proposed Exercise of the Power of Eminent Domain to Acquire a Certain Portion of the Lands of George N. Schaefer of Moon Township, Allegheny County, Pennsylvania for the Siting and Construction of Transmission Lines Associated with the Proposed Brunot Island – Crescent Project is Necessary or Proper for the Service, Accommodation, Convenience, or Safety of the Public,” at Docket No. A-2019-3008652 (“Schaefer Condemnation Application”).

4. On March 28, 2019, the Administrative Law Judge Mary D. Long (the “ALJ”) issued a Prehearing Conference Order, which scheduled a Prehearing Conference in the matters at Docket Nos. A-2019-3008589 and A-2019-3008652 for June 6, 2019.

5. Notice of the BI-Crescent Full Siting Application and the Schaefer Condemnation Application was published in the April 6, 2019 edition of the *Pennsylvania Bulletin*.

6. Duquesne Light published Proof of Publication of notice of the filings with the Commission on April 30, 2019.

7. A Prehearing Conference was held on June 6, 2019.

8. On June 7, 2019, the ALJ issued an Interim Order Extending Protest Period and Scheduling a Further Prehearing Conference at Docket Nos. A-2019-3008589, A-2019-3008652. Therein, the ALJ extended the deadline for filing a “protest or petition to intervene in order to become a party of record in this matter” to June 21, 2019.

9. On June 17, 2019, Duquesne Light was served with the Complaint of Aaron Siegel and Rebecca Siegel (Braund). The Complaint docketed at Docket No. C-2019-3010833.

10. On June 18, 2019, Duquesne Light was served with the Complaint of 3. Dennis J. and Jeanne M. Zona. The Complaint docketed at Docket No. C-2019-3010963.

11. On June 18, 2019, Duquesne Light was served with the Complaint of John P. and Jennifer Crowe. Mr. and Mrs. Crowe filed a Supplemental Complaint on June 20, 2019.

12. On June 19, 2019, Duquesne Light was served with the Complaint of Victoria Adams.

13. On June 19, 2019, Duquesne Light was served with the Complaint of Folezia Marinkovic.

14. On June 19, 2019, Duquesne Light was served with the Complaint of Richard Gable.

15. On June 19, 2019, Duquesne Light was served with the Complaint of Joseph G. and Suzanna Robosky.

16. On June 20, 2019, Duquesne Light was served with the Complaint of Cynthia and Patrick Wilson.

17. On June 20, 2019, Duquesne Light was served with the Complaint of Zachariah R. Nave.

18. A Second Prehearing Conference is scheduled for July 2, 2019.

19. Duquesne Light intends to file an Answer and New Matter and Preliminary Objections responding to each of the aforementioned Complaints. Therein, Duquesne Light argued, *inter alia*, that portions of the Complaints should be dismissed because: because: (1) the Commission lacks jurisdiction over certain of the claims raised in the Complaints; or (2) the Complaint fails to conform to this chapter.

20. However, to the extent that any claims set forth in a Complaint are determined to properly be within the Commission's jurisdiction, such Complaint should be considered a Protest to the BI-Crescent Full Siting Application and consolidated therewith. Each of the aforementioned Complaints raises common issues of fact and law regarding the BI-Crescent Full Siting Application, and consolidation of these proceedings would avoid unnecessary costs or delays in their resolution. 52 Pa. Code § 5.81. Therefore, each of the Complaints should be consolidated with the BI-Crescent Full Siting Application.

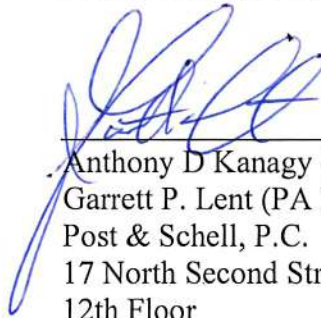
21. In addition, to the extent that a hearing becomes necessary, Duquesne Light moves that the following litigation schedule be established for these proceedings:

Other Parties' Direct Testimony	August 19, 2019
Rebuttal Testimony	September 5, 2019
Surrebuttal Testimony	September 29, 2019
Hearings (including oral rejoinder)	October 29-30, 2019
Main Brief	December 5, 2019
Reply Brief	December 20, 2019

22. Duquesne Light will work with parties and the ALJ to modify the schedule as may be necessary.

WHEREFORE, Duquesne Light Company respectfully requests that: (1) the foregoing Complaints of Aaron Siegel and Rebecca Siegel (Braund) (Docket No. C-2019-3010833), Dennis J. and Jeanne M. Zona (Docket No. C-2019-3010963), John P. and Jennifer Crowe, Victoria Adams, Folezia Marinkovic, Richard Gable, Joseph G. and Suzanna Robosky, Cynthia and Patrick Wilson and Zachariah R. Nave be consolidated with the BI-Crescent Full Siting Application at Docket No. A-2019-3008589; and (2) the litigation schedule proposed by Duquesne Light be adopted in the consolidated proceedings.

Respectfully submitted,



Tishekia William (PA ID # 208997)
Emily Farah (PA ID # 322559)
Duquesne Light Company
411 Seventh Avenue
Pittsburgh, PA 15230
E-mail: twilliams@duqlight.com
efarah@duqlight.com

Anthony D Kanagy (PA ID # 85522)
Garrett P. Lent (PA ID # 321566)
Post & Schell, P.C.
17 North Second Street
12th Floor
Harrisburg, PA 17101-1601
Voice: 717-731-1970
Fax: 717-731-1985
E-mail: akanagy@postschell.com
E-mail: glent@postschell.com

Date: June 28, 2019

Attorneys for Duquesne Light Company

CERTIFICATE OF SERVICE
(A-2019-3008589 and A-2019-3008652)

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).

VIA FIRST CLASS MAIL

Michael Syme
Partner
Fox Rothschild LLP
500 Grant Street
Suite 2500
Pittsburgh, PA 15219

George N. Schaefer
Schaefer Boulevard
Coraopolis, PA 15108

John P. Crowe
Jennifer A. Crowe
1123 Juanita Drive
Coraopolis, PA 15108

Victoria Adams
306 Konter Road
Coraopolis, PA 15108

Craig Weber
Launette Weber
4 Lancelot Lane
Coraopolis, PA 15108

Robert G. Chesky
Terry L. Chesky
1422 Charlton Heights Rod
Coraopolis, PA 15108

Davronbek P. Kudratullaev
Michelle L. Ciaramella
101 Seibert Road
Coraopolis, PA 15108

Aaron Siegel
Rebecca Siegel
110 Wynview Drive
Coraopolis, PA 15108

Dennis J. Zona
Jeanne M. Zona
108 Wynview Drive
Coraopolis, PA 15108

Richard I. Gable
126 Flaugherty Run Road
Coraopolis, PA 15108

Jub Feldman
Terice Vercek
McKees Rocks Community Development
Corporation
611 Chartiers Avenue
McKees Rocks, PA 15136

Zachariah R. Nave
P.O. Box 524
Clarion, PA 16214

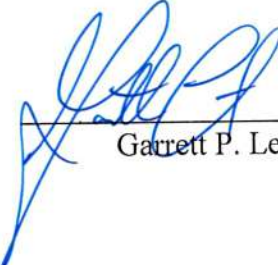
Zachariah R. Nave
7 McGovern Boulevard
Crescent, PA 15046

Folezia A. Marinkovic
Steve M. Marinkovic
205 Purdy Road
Crescent, PA 15046

Cynthia Chamberlin Wilson
Patrick Wilson
9 McGovern Boulevard
Crescent, PA 15046

Joseph G. and Suzanne L. Rabosky
104 Wynview Drive
Coraopolis, PA 15108

Dated: June 28, 2019



Garrett P. Lent