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File #: 166407

July 8, 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

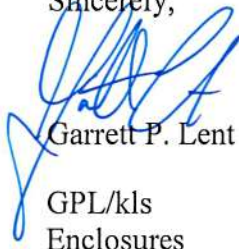
**Re: Application of Duquesne Light Company filed Pursuant to 52 Pa. Code Chapter 57, Subchapter G, for Approval of the Siting and Construction of the 138 kV Transmission Lines Associated with the Brunot Island-Crescent Project in the City of Pittsburgh, McKees Rocks Borough, Kennedy Township, Robinson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

Dear Secretary Chiavetta:

Enclosed for filing is the Answer of Duquesne Light Company to the Protest of Richard I. Gable.

Copies are being provided per the attached Certificate of Service.

Sincerely,



Garrett P. Lent
GPL/kl
Enclosures

cc: Certificate of Service

**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 :
:
:
:
:
Protest of Richard I. Gable :

**ANSWER OF DUQUESNE LIGHT COMPANY
TO THE PROTEST OF RICHARD I. GABLE**

TO THE HONORABLE ADMINISTRATIVE LAW JUDGE MARY D. LONG:

Duquesne Light Company (“Duquesne Light” or the “Company”) files this Answer to Protest filed by Richard I. Gable (“Protestant”)¹ pursuant to Section 5.61 of the Pennsylvania Public Utility Commission’s (“Commission”) regulations, 52 Pa. Code § 5.61. Although the Commission’s regulations do not require an answer to a Protest, Duquesne Light responds to each of the separately-numbered paragraphs of the Gable Protest as follows:

ANSWER

1. Admitted.
2. Admitted.
3. Admitted.

¹ Duquesne Light received a Formal Complaint from the Protestant on June 18, 2019. No docket number has been assigned to the pleading. As the pleading contests and opposes the electric transmission line siting application at Docket No. A-2019-3008589, Duquesne Light is treating the pleading as a Protest to the Application.

4. Admitted in part and denied in part. It is admitted Duquesne Light recently 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) “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”).²

It is denied that route selected for the BI-Crescent Project is “too close to existing and will damage the health of” the Protestant “and those within the EMF range.” By way of further response, Duquesne Light Company described its EMF practices and policies in Attachment 11 – Design Criteria and Safety Practices to the BI-Crescent Full Siting Application and incorporates the information contained therein into this Answer. In addition, Duquesne Light thoroughly evaluated the potential impacts of the BI-Crescent Project as detailed in Attachment 3 – Environmental Assessment and Line Route Study and Duquesne Light Statement No. 2, the

² While the Protest references the Schaefer Condemnation Application and/or its docket number, Duquesne Light denies that the Protestants are a property owner of record for the subject property.

direct testimony of Aimee Kay, both of which were attached to the BI-Crescent Full Siting Application and are incorporated by reference herein.

5. Denied. The averments contained in Paragraph 5 (referencing the requests for relief on page 2 of 2 of the attachment to the Protest) of the Protest are requests for relief to which no responsive pleading is required. To the extent a response is deemed necessary, Duquesne Light denies that the Protestants are entitled to the relief requested.

By way of further response, Duquesne Light incorporates Paragraphs 2 through 4, *supra*, as though fully set forth herein.

6. Paragraph 6 of the Protest relates to Protection from Abuse orders, to which no responsive pleading is required.

7. Admitted in part and denied in part. It is admitted that the Protest is not an appeal from a decision of the Commission's Bureau of Consumer Services. It is also admitted that the Protestant has contacted a Duquesne Light representative regarding the subject matter of the Protest. By way of further response, Duquesne Light has attempted to be responsive to all contacts and communications from the Protestant and has treated the Protestant in the same respectful and fair manner that it treats all other customers.

8. Paragraph 8 of the Protest pertains to the Protestant's legal representation, to which no responsive pleading is required.


9. Paragraph 9 sets forth the verification and signature, to which no responsive pleading is required.

10. Paragraph 10 sets forth the instructions for filing the Protest, to which no responsive pleading is required.

WHEREFORE, Duquesne Light Company respectfully requests that the Protest of Richard I. Gable be denied and with prejudice as against Duquesne Light.

Respectfully submitted,

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Date: July 8, 2019

Attorneys for Duquesne Light Company

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of Duquesne Light Company :
filed Pursuant to 52 Pa. Code Chapter 57, :
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Crescent Project in the City of Pittsburgh, :
McKees Rocks Borough, Kennedy Township, :
Robinson Township, Moon Township, and :
Crescent Township, Allegheny County, :
Pennsylvania :
:
:
:
Protest of Richard I. Gable :

VERIFICATION

I, MEENAM SHYU, hereby state that the facts above set forth are true and correct (or 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).



Dated: 7/8/2019

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).

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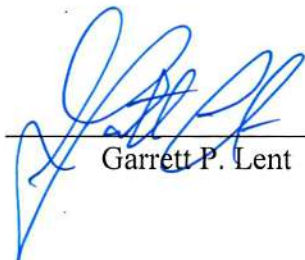
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Dated: July 8, 2019



Garrett P. Lent