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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 are the Preliminary Objections of Duquesne Light Company to the Protest of Folezia A. Marinkovic.

Copies are being provided per the attached Certificate of Service.

Sincerely,



Garrett P. Lent

GPL/kl  
Enclosures

cc: Certificate of Service

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

A PENNSYLVANIA PROFESSIONAL CORPORATION

18942290v1

**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 :  
:  
:  
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Protest of Folezia A. Marinkovic :

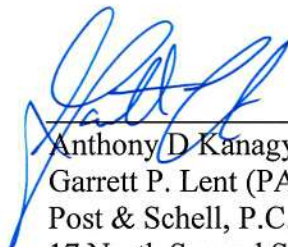
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**NOTICE TO PLEAD**

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YOU ARE HEREBY ADVISED THAT, PURSUANT TO 52 PA. CODE § 5.101, YOU MAY ANSWER THE ENCLOSED PRELIMINARY OBJECTIONS WITHIN TEN (10) DAYS OF THE DATE OF SERVICE HEREOF. YOUR ANSWER TO THE PRELIMINARY OBJECTIONS MUST BE FILED WITH THE SECRETARY OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION, P.O. BOX 3265, HARRISBURG, PA 17105-3265. A COPY SHOULD ALSO BE SERVED ON THE UNDERSIGNED COUNSEL FOR DUQUESNE LIGHT COMPANY.

Tishekia William (PA ID # 208997)  
Emily Farah (PA ID # 322559)  
Duquesne Light Company  
411 Seventh Avenue  
Pittsburgh, PA 15230  
E-mail: [twilliams@duqlight.com](mailto:twilliams@duqlight.com)  
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\_\_\_\_\_  
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Date: July 8, 2019

Attorneys for Duquesne Light Company

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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Township, and Crescent Township, :  
Allegheny County, Pennsylvania :  
:  
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Protest of Folezia A. Marinkovic :

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**PRELIMINARY OBJECTIONS OF  
DUQUESNE LIGHT COMPANY TO THE  
PROTEST OF FOLEZIA A. MARINKOVIC**

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**TO THE HONORABLE ADMINISTRATIVE LAW JUDGE MARY D. LONG:**

AND NOW, comes Duquesne Light Company (“Duquesne Light” or the “Company”) and hereby files Preliminary Objections, pursuant to the regulations of the Pennsylvania Public Utility Commission (“Commission”) at 52 Pa. Code § 5.101, and respectfully requests that the Commission dismiss the Protest filed by Folezia A. Marinkovic (“Protestant”)<sup>1</sup> with prejudice.

A substantial portion of the Protest deals with non-jurisdictional issues related to alleged property disputes between Duquesne Light and the Protestants. The Protest avers, *inter alia*, that the Company seeks to take a portion of the Protestant’s property and expand a private road, the

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<sup>1</sup> Duquesne Light received a Formal Complaint from the Protestant on June 18, 2019. No docket number has been assigned to the pleading. The Protest is specific to a property located at 205 Purdy Road, Coraopolis, PA 15108. 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.

Company has committed constitutes a trespass and has cause damages to the Protestants via alleged damage to property, nuisance, and other issues.

As explained herein, the Commission should dismiss the non-jurisdictional claims contained in the Protest.

In support thereof, Duquesne states as follows:

**I. BACKGROUND**

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) “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. Duquesne Light received a Formal Complaint from the Protestants on June 20, 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. A true and correct copy of the Protest is attached hereto as **Appendix A**.

10. As explained herein, the Commission should dismiss certain claims contained in the Protest because the Commission lacks jurisdiction over the claims contained therein.

## **II. STANDARD OF REVIEW**

11. Pursuant to the Commission’s regulations, preliminary objections in response to a pleading may be filed on several grounds, including:

- (1) Lack of Commission jurisdiction or improper service of the pleading initiating the proceeding.
- (2) Failure of a pleading to conform to this chapter or the inclusion of scandalous or impertinent matter.
- (3) Insufficient specificity of a pleading.
- (4) Legal insufficiency of a pleading.
- (5) Lack of capacity to sue, nonjoinder of a necessary party or misjoinder of a cause of action.
- (6) Pendency of a prior proceeding or agreement for alternative dispute resolution.
- (7) Standing of a party to participate in the proceeding.

52 Pa. Code § 5.101(a) (emphasis added).

12. In ruling on preliminary objections, the Presiding Officer must accept as true all well-pled allegations of material facts as well as all inferences reasonably deducible therefrom. *Stilp v. Cmwlt.*, 910 A.2d 775, 781 (Pa. Cmwlt. 2006) (citing *Dep't of Gen. Servs. v. Bd. of Claims*, 881 A.2d 14 (Pa. Cmwlt. 2005)). However, the Presiding Officer need not accept as true conclusions of law, unwarranted inferences from facts, argumentative allegations, or expressions of opinion. *Stanton-Negley Drug Co. v. Dep't of Pub. Welfare*, 927 A.2d 671, 673 (Pa. Cmwlt. 2007). Notwithstanding, any doubt must be resolved in favor of the non-moving party. *Stilp*, at 781.

13. In addition, the Presiding Officer must determine whether, based on the factual pleadings, if recovery is possible. *See Rok v. Flaherty*, 527 A.2d 211, 214 (Pa. Cmwlt. 1987). Indeed, for preliminary objections to be sustained, it must appear with certainty that the law will permit no recovery. *See Stilp*, at 781; *Milliner v. Enck*, 709 A.2d 417, 418 (Pa. Super. 1998).

### **III. PRELIMINARY OBJECTIONS**

#### **A. PRELIMINARY OBJECTION NO. 1 – THE COMMISSION LACKS JURISDICTION OVER THE PROTESTANT’S CLAIMS**

14. Duquesne Light incorporates by reference Paragraphs 1 through 13 as if fully set forth herein.

15. The Protestants’ claims regarding property disputes should be dismissed because the Commission lacks jurisdiction over these claims. *See* 52 Pa. Code § 5.101(a)(1).

16. As a “creature of statute,” the Commission “has only those powers which are expressly conferred upon it by the Legislature and those powers which arise by necessary implication.” *Feingold v. Bell of Pa.*, 383 A.2d 791, 794 (Pa. 1977) (citing *Allegheny Cnty. Port Auth. v. Pa. PUC*, 237 A.2d 602 (Pa. 1967); *Del. River Port Auth. v. Pa. PUC*, 145 A.2d 172 (Pa. 1958)).

17. The Commission is without jurisdiction over other real property issues such as trespass and the location of utility facilities pursuant to valid easements. *See Shedlosky v. Pennsylvania Electric Co.*, Docket No. C-20066937 (Order entered May 28, 2008); *see also Anne E. Perrige v. Metropolitan Edison Co.*, Docket No. C-00004110 (Order entered July 11, 2003) (Commission had no jurisdiction to interpret the meaning of a written right-of-way agreement); *Samuel Messina v. Bell Atlantic-Pennsylvania, Inc.*, Docket No. C-00968225 (Order entered Sept. 23, 1998) (“The Commission has clearly stated in prior decisions that it is without subject matter jurisdiction to adjudicate questions involving trespass and whether or not utility facilities are located pursuant to valid easements or rights-of-way.” (citation omitted)).

18. Finally, the Commission has recognized that the assessment of damages resulting from a line’s impact or individual land use was properly adjudicable in another forum. *See Re Philadelphia Electric Company*, 1992 Pa. PUC LEXIS 160 (Initial Decision dated June 29,

1992); *see also Re Philadelphia Electric Company*, 52 Pa. P.U.C. 198, 1978 Pa. PUC LEXIS 141 (Order dated May 17, 1978) and *Re West Penn Power Company*, 68 Pa. P.U.C. 262, 268, 1988 Pa. PUC LEXIS 462 (Order dated Oct. 3, 1988). Accordingly, determination of damages is not within the Commission's jurisdiction to hear and determine.

19. Applied here, the Protest avers that Duquesne Light has engaged in several categories of actions that form the basis of the Protest:

- Allegedly taking to widen a private road. *See* Protest ¶ 4 (attachment page 1, number 2).
- The alleged expansion of the private road would interfere with the Protestant's drainage system. *See* Protest ¶ 4 (attachment page 1, number 3).
- The Protestant requests that Duquesne Light be denied access to/and widening of the existing private road. *See* Protest ¶ 4 (attachment page 1, number 4).
- Allegedly increasing noise, wear and tear of road condition and decreasing privacy, *i.e.* nuisance claims. *See* Protest ¶ 4 (attachment page 1, number 5).
- Property-owner liability related to injuries that may occur to Duquesne Light and/or its contracted vendors' personnel. *See* Protest ¶ 4 (attachment page 1, number 6).
- Allegedly increasing potential physical/medical and emotional stress/anxiety. *See* Protest ¶ 4 (attachment page 1, number 7).

20. With respect to each of these claims, the Protest than requests as relief that: (1) Duquesne Light refrain accessing/altering the private road; and (2) the Commission deny the BI-Crescent Fully Siting Application. Protest ¶ 5 (attachment page 2).

21. The Commission lacks jurisdiction with respect to each and every one of these claims.

22. The Protest asks the Commission to adjudicate a property dispute, *i.e.* whether Duquesne Light's alleged use or expansion of a private access road would violate the Protestant's rights. *See* Protest ¶ 4 (attachment page 1). Protestant further avers hat the use or



expansion of the private access road would constitute a nuisance or otherwise result in damages to the Protestant. *See* Protest ¶ 4 (attachment page 1). In order to render the relief requested by the Protestant the Commission would have to determine the parties' respective property rights, a function that is beyond the Commission's power, authority and jurisdiction.

23. Accordingly, and assuming all of the well-pleaded facts contained in the Protest are true, any claim's regarding the alleged trespass, nuisance or associated damages are not within the Commission's jurisdiction because, as a matter of law, the acts complained of relate to a property dispute between a landowner and a utility. Protest ¶¶ 4-5 (attachment pages 1-2). The Commission is without jurisdiction to grant the relief requested based such claims.


24. Therefore, the aforementioned non-jurisdictional claims contained in the Protest should be dismissed with prejudice.

**IV. CONCLUSION**

WHEREFORE, Duquesne Light Company respectfully requests the non-jurisdictional claims in the above-captioned Protest filed by Folezia A. Marinkovic be dismissed with prejudice pursuant 52 Pa. Code § 5.101(a)(1).

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](mailto:twilliams@duqlight.com)  
[efarah@duqlight.com](mailto:efarah@duqlight.com)

  
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Anthony D Kanagy (PA ID # 85522)  
Garrett P. Lent (PA ID # 321566)  
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E-mail: [akanagy@postschell.com](mailto:akanagy@postschell.com)  
E-mail: [glent@postschell.com](mailto:glent@postschell.com)

Date: July 8, 2019

Attorneys for Duquesne Light Company

**APPENDIX A**

**PROTEST FILED BY FOLEZIA A. MARINKOVIC  
AGAINST DUQUESNE LIGHT COMPANY**

Formal Complaint

COPY

Filing this form begins a legal proceeding and you will be a party to the case. If you do not wish to be a party to the case, consider filing an informal complaint.

To complete this form, please type or print legibly in ink.

1. Customer (Complainant) Information

Provide your name, mailing address, county, telephone number(s), e-mail address and utility account number. It is your responsibility to update the Commission with any changes to your address and to where you want documents mailed to you.

Name FOLEZIA A. MARINKOVIC

Street/P.O. Box 205 Purdy Road Apt #

City Crescent (MOON TWP) State PA Zip 15046

County Allegheny

Telephone Number(s) Where We Can Contact You During the Day:

(724) 457-9120 (home) ( ) (mobile)

E-mail Address (optional): fmarinkovic@comcast.net

Utility Account Number (from your bill) 5645-950-000 (14-2019-3008 ID 56459955385 Brunot Island-Creece

If your complaint involves utility service provided to a different address or in a different name than your mailing address, please list this information below.

Name

Street/P.O. Box

City State Zip

2. Name of Utility or Company (Respondent)

Provide the full name of the utility or company about which you are complaining. The name of your utility or company is on your bill.

Duquesne Light Co.

3. Type of Utility Service

Check the box listing the type of utility service that is the subject of your complaint (check only one):

- ELECTRIC                       WASTEWATER/SEWER  
 GAS                                       TELEPHONE/TELECOMMUNICATIONS (local, long distance)  
 WATER                                       MOTOR CARRIER (e.g. taxi, moving company, limousine)  
 STEAM HEAT

4. Reason for Complaint

**What kind of problem are you having with the utility or company?** Check all boxes below that apply and state the reason for your complaint. Explain specifically what you believe the utility or company has done wrong. Provide relevant details including dates, times and places and any other information that may be important. If the complaint is about billing, tell us the amount you believe is not correct. Use additional paper if you need more space. **Your complaint may be dismissed without a hearing if you do not provide specific information.**

- The utility is threatening to shut off my service or has already shut off my service.
- I would like a payment agreement.
- Incorrect charges are on my bill. Provide dates that are important and an explanation about any amounts or charges that you believe are not correct. Attach a copy of the bill(s) in question if you have it/them.
- I am having a reliability, safety or quality problem with my utility service. Explain the problem, including dates, times or places and any other relevant details that may be important.

Other (explain).

TRC 14 - 2019 - 300 85 89  
Brunat Island - Crescent Project  
Please see Attached  
#4



Note: If your complaint is only about removing or modifying a municipal lien filed by the City of Philadelphia, the Public Utility Commission (PUC) cannot address it. Only local courts in Philadelphia County can address this type of complaint. The PUC can address a complaint about service or incorrect billing even if that amount is subject to a lien.

In addition, the PUC generally does not handle complaints about cell phone or Internet service, but may be able to resolve a dispute regarding voice communications over the Internet (including the inability to make voice 911/E911 emergency calls) or concerns about high-speed access to Internet service.

**5. Requested Relief**

**How do you want your complaint to be resolved?** Explain what you want the PUC to order the utility or company to do. Use additional paper if you need more space.

Please see Attached #5  
Responses

Note: The PUC can decide that a customer was not billed correctly and can order billing refunds. The PUC can also fine a utility or company for not following rules and can order a utility or company to correct a problem with your service. Under state law, the PUC cannot decide whether a utility or company should pay customers for loss or damages. Damage claims may be sought in an appropriate civil court.

6. **Protection From Abuse (PFA)**

Has a court granted a "Protection From Abuse" order that is currently in effect for your personal safety or welfare? The PUC needs this information to properly process your complaint so that your identity is not made public.

Note: You must answer this question if your complaint is against a natural gas distribution utility, an electric distribution utility or a water distribution utility AND your complaint is about a problem involving billing, a request to receive service, a security deposit request, termination of service or a request for a payment agreement.

Has a court granted a "Protection From Abuse" order for your personal safety or welfare?

YES

NO

If your answer to the above question is "yes," attach a copy of the current Protection From Abuse order to this Formal Complaint form.

7. **Prior Utility Contact**

a. Is this an appeal from a decision of the PUC's Bureau of Consumer Services (BCS)?

YES

NO

Note: If you answered yes, move to Section 8. No further contact with the utility or company is required. If you answered no, answer the question in Section 7 b. and answer the question in Section 7 c. if relevant.

b. If this is not an appeal from a BCS decision, have you spoken to a utility or company representative about this complaint?

YES

NO

Note: You must contact the utility first if (1) you are a residential customer, (2) your complaint is against a natural gas distribution utility, an electric distribution utility or a water utility AND (3) your complaint is about a billing problem, a service problem, a termination of service problem, or a request for a payment agreement.

c. If you tried to speak to a utility company representative about your complaint but were not able to do so, please explain why.

NO Contact

Note: Even if you are not required to contact the utility or company, you should always try to speak to a utility or company representative about your problem before you file a Formal Complaint with the PUC.

8. **Legal Representation**

If you are filing a Formal Complaint as an individual on your own behalf, you are **not** required to have a lawyer. You may represent yourself at the hearing.

If you are already represented by a lawyer **in this matter**, provide your lawyer's name, address, telephone number, and e-mail address, if known. Please make sure your lawyer is aware of your complaint. If represented by a lawyer, both you and your lawyer must be present at your hearing.

Lawyer's Name Self Representation

Street/P.O. Box \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Area Code/Phone Number \_\_\_\_\_

E-mail Address (if known) \_\_\_\_\_

Note: Corporations, associations, partnerships, limited liability companies and political subdivisions are **required** to have a lawyer represent them at a hearing **and** to file any motions, answers, briefs or other legal pleadings.

9. **Verification and Signature**

**You must sign your complaint.** Individuals filing a Formal Complaint **must** print or type their name on the line provided in the verification paragraph below and **must** sign and date this form in **ink**. If you do not sign the Formal Complaint, the PUC **will not accept it**.

**Verification:**

I, Folezia A. - Steve M. Marinkow 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).

Folezia A. Marinkow  
Steve M. Marinkow  
(Signature of Complainant)

6-17-2019  
(Date)

\_\_\_\_\_  
Title of authorized employee or officer (only applicable to corporations, associations, partnerships, limited liability companies or political subdivisions)

Note: If the Complainant is a corporation, association, partnership, limited liability company or political subdivision, the verification **must** be signed by an authorized officer or authorized employee. If the Formal Complaint is **not signed** by one of these individuals, the PUC **will not accept it**.

10. **Two Ways to File Your Formal Complaint**

**Electronically.** You must create an account on the PUC's eFiling system, which may be accessed at <http://www.puc.pa.gov/efiling/default.aspx>.

**Note:** If you are appealing your Bureau of Consumer Services (BCS) decision, you must file your formal complaint by mail.

**Mail.** Mail the completed form with your original signature and any attachments, by certified mail, first class mail, or overnight delivery to this address:

Secretary  
Pennsylvania Public Utility Commission  
400 North Street  
Harrisburg, Pennsylvania 17120

Note: Formal Complaints sent by fax or e-mail will **not** be accepted.

If you have any questions about filling out this form, please contact the Secretary's Bureau at 717-772-7777.

**Keep a copy of your Formal Complaint for your records.**



PUC A-2019-3008589  
Brunot Island- Crescent Project  
Date Provided 6/17/2019

#4 Reason for Complaint:

- 1.) Did not receive as legally required by ( Public Notices Required 52 Pa Code 69.3102)  
Please find enclosed: Attachment 13 Duquesne Lights Application for Project  
A-2019-3008589
- 2.) Duquesne Light Company wants to take a portion of my property to widen a Private road
- 3.) Expanding the Private Road will interfere with the drainage system on my property.
- 4.) I am requesting that Duquesne Light Company be denied access to/and widening existing Private Road.
- 5.) Increase of noise, wear and tear of Private Road condition and decrease in resident's Privacy.
- 6.) Property's owners liability relating to any injuries that may occur to Duquesne Light Company and / or contracted vendor personnel while performing responsibilities.
- 7.) To the residents on or near the Private Road an increase of both potential physical/ medical and absolute (Stress/Anxiety) related as a result of the Brunot Island -Crescent Project.



PUC: A- 2019-3008589  
Brunot Island - Crescent Project  
Date 6/17/2019

**#5 Requested Relief:**

Requesting Duquesne Light Company initiate communication with property owners Folezia A. & Steve M. Marinkovic

1.) Mine and my Husband's Legal Rights were ignored/thus we were not informed as to Brunots Island-Crescent Project

2.) Refrain from access/ and altering Private Road

3.) Refrain from altering Private Road thus avoiding any potential damage to my drainage system

4.) Refrain from access/ and altering Private Road

5.) Refrain from accessing Private Road

6.) Refrain from accessing Private Road

7.) Deny approval of the Brunot Island- Crescent Project

Application of Duquesne Light Co.  
A-2019-3008589

**Attachment 13**



Duquesne Light Company  
411 Seventh Avenue  
Pittsburgh, PA 15219  
May 3, 2016

Dear Resident:

Duquesne Light is committed to maintaining a level of reliability customers have come to expect from us. In the coming months, we will be conducting land surveys and field studies to evaluate our infrastructure for future improvements. You are receiving this letter because your property is within our Right of Way under a network of transmission lines.

Duquesne Light has engaged GAI Consultants, an engineering consulting firm, to assist us with this work. Together we will be looking at Duquesne Light infrastructure and surrounding land, documenting existing conditions and conducting land surveys and field studies for vegetation and wildlife. This will occur initially in May and then again in July and August. Because of the nocturnal nature of some wildlife, some of these studies will need to be conducted at night in specific areas. Our work will be performed safely, courteously and as quickly as possible. No wildlife will be harmed in any way during these studies.

A Duquesne Light or GAI employee will notify you in advance that we will be accessing the Right of Way. The representative will show proper identification and clearly state the purpose of the visit. If no one is home, Duquesne Light will leave a door tag notice and proceed with the land survey and field study.

Should you have any concerns, please contact Duquesne Light by calling our Customer Service Center at (412) 393-7100 between 8:00 a.m. and 5:00 p.m.

Thank you for your cooperation and assistance in this matter.

Sincerely,

Duquesne Light Company



January 23, 2017

Dear Duquesne Light Customer:

As our communities continue to develop and thrive, the demand for energy is growing. As a result, Duquesne Light Company is working to maintain a level of service and reliability customers have come to expect while increasing the overall resiliency of the grid. Our dedication to improving the way energy is delivered is just one of the many ways we are working to become your next generation energy company.

Duquesne Light customers in Moon Township, Robinson Township, Kennedy Township, Crescent Township, McKees Rocks Borough, and the City of Pittsburgh are served by a network of 138-kilovolt transmission lines that were originally installed when the region looked very different than it does today. This network needs to be upgraded to better serve our customers who live or work in this part of the region. As such, we are planning to replace the transmission line that stretches from our substation in Crescent Township to our substation located on Brunot Island on the Ohio River, just west of downtown Pittsburgh. We are referring to this important effort as the Brunot Island-Crescent Transmission Reliability Project.

You are receiving this letter because, over the next few months, you may see Duquesne Light employees or associates in your neighborhood conducting field studies and soil testing. We can assure you that our studies will be performed as safely, courteously and as quickly as possible. If your property is along the transmission route, you will be receiving additional communication in the near future.

To give you and your neighbors a chance to learn more about this important project, Duquesne Light will be hosting multiple open house meetings to gather input and answer questions. Our goal is to keep you informed, to listen carefully to your comments, and to incorporate your input wherever we can. Please choose the date and location that is most convenient for you. Upcoming open houses include:

- *Crescent Township Municipal Building, 225 Spring Run Road, Crescent, Pa 15046, on February 21, 2017 from 4 p.m. to 7 p.m.*
- *VFW Post 418 Hall, 1242 Chartiers Ave., McKees Rocks, Pa 15136, on February 28, 2017 from 2 p.m. to 7 p.m.*
- *Kennedy Township Independent Volunteer Fire Company, 1796 Pine Hollow Road, McKees Rocks, Pa 15136, on March 2, 2017 from 4 p.m. to 7 p.m.*

Should you have any concerns, please contact Travis Moore, Brunot Island-Crescent Transmission Reliability Project Manager at (412) 393-6500 or email [BI-Crescent@duqlight.com](mailto:BI-Crescent@duqlight.com). Additional information can be found at [DuquesneLight.com/BI-Crescent](http://DuquesneLight.com/BI-Crescent). Thank you for your cooperation and assistance in this matter.

Sincerely,

Duquesne Light Company





January 30, 2017

<Address 1>  
<Address 2>  
<City, State, Zip>  
Parcel ID: <XXX-XXX-XXX>

Dear Duquesne Light Customer:

You recently received a letter about an important project that will be occurring in your area. The Brunot Island-Crescent Transmission Reliability Project is intended to upgrade the transmission line that stretches from our substation in Crescent Township, PA, to our substation located on Brunot Island on the Ohio River, just west of downtown Pittsburgh. This work will help us continue to maintain a level of reliability you have come to expect while increasing the overall resiliency of the grid.

You are receiving this letter because you own property in the proposed route of the transmission line. Duquesne Light has engaged GAI Consultants, an engineering consulting firm, to assist us with the work needed for this project, including field studies and soil testing. A Duquesne Light or GAI representative will show proper identification and clearly state the purpose of the visit. If no one is home, a door tag notice will be left so you are aware that someone visited your property while you were away and we will proceed with the field study. The studies will be performed safely, courteously and as quickly as possible.

Also enclosed are our Standards of Conduct guidelines, notice of eminent domain rights and Right-Of-Way maintenance practices. Duquesne Light has also engaged Burns and McDonnell, a land services company, to contact you to discuss acquiring the right of way needed to complete this project. Like GAI, a Burns and McDonnell representative will show proper identification and clearly state the purpose of the visit.

To give you and your neighbors a chance to learn more about the Brunot Island-Crescent Transmission Reliability Project, Duquesne Light is hosting multiple open house meetings to gather input and answer questions. Our goal is to keep you informed, to listen carefully to your comments, and to incorporate your input wherever we can. Please choose the date and location that is most convenient for you. Upcoming open houses include:

- *Crescent Township Municipal Building, 225 Spring Run Road, Crescent, Pa 15046, on February 21, 2017 from 4 p.m. to 7 p.m.*
- *VFW Post 418 Hall, 1242 Chartiers Ave., McKees Rocks, Pa 15136, on February 28, 2017 from 2 p.m. to 7 p.m.*
- *Kennedy Township Independent Volunteer Fire Company, 1796 Pine Hollow Road, McKees Rocks, Pa 15136, on March 2, 2017 from 4 p.m. to 7 p.m.*

Should you have any concerns, please contact Travis Moore, Brunot Island-Crescent Transmission Reliability Project Manager at (412) 393-6500 or email [BI-Crescent@duqlight.com](mailto:BI-Crescent@duqlight.com). Additional information can be found at [DuquesneLight.com/BI-Crescent](http://DuquesneLight.com/BI-Crescent). Thank you for your cooperation and assistance in this matter.

Sincerely,

Duquesne Light Company  
411 Seventh Avenue  
Pittsburgh, PA 15219



**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

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

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: July 8, 2019

  
\_\_\_\_\_  
Garrett P. Lent