



May 25, 2021

**Via E-FILE**

Secretary Rosemary Chiavetta  
Pennsylvania Public Utility Commission  
400 North Street, Filing Room  
Harrisburg, PA 17120

**Re: Pennsylvania Public Utility Commission v. Duquesne Light Company**  
**Docket No. R-2021-3024750**

*Prehearing Conference Memorandum of CAUSE-PA*

Dear Secretary Chiavetta,

Please find the attached **Prehearing Conference Memorandum of the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (CAUSE-PA)** in the above-referenced proceeding.

Pursuant to the Commission's Emergency Order issued on March 20, 2020, and as indicated on the attached Certificate of Service, service on the parties was accomplished by email only.

Respectfully,

Ria M. Pereira, Esq.  
*Counsel for CAUSE-PA*

CC: *Certificate of Service*

**BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Pennsylvania Public Utility Commission, et al.** :  
 :  
 v. : **Docket No. R-2021-3024750**  
 :  
**Duquesne Light Company** :  
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**PREHEARING CONFERENCE MEMORANDUM  
OF THE COALITION FOR AFFORDABLE UTILITY SERVICES  
AND ENERGY EFFICIENCY IN PENNSYLVANIA**

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**PENNSYLVANIA UTILITY LAW PROJECT**

*Counsel for CAUSE-PA*

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**May 25, 2021**

On May 20, 2021, a Prehearing Conference Order was issued by Administrative Law Judge John M. Coogan and Deputy Chief Administrative Law Judge Joel H. Cheskis setting a telephonic prehearing conference for Thursday, May 27, 2021 at 10:00 a.m., and requiring parties to file a Prehearing Memorandum on or before Tuesday, May 25, 2021. In accordance with that Order, the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (CAUSE-PA), through its counsel at the Pennsylvania Utility Law Project, hereby files this Prehearing Conference Memorandum.

**I. Background**

On April 16, 2021, Duquesne Light Company (Duquesne Light or the Company) filed Supplement No. 25 – PA P.U.C. No. 25, which proposes a general increase in electric distribution rates of approximately \$115 million. If the Company’s entire request is approved, the monthly bill for an average residential customer who uses 600 kWh of electricity would increase by \$7.73 from \$100.12 to \$107.85, or by 7.72%.

On April 26, 2021, CAUSE-PA filed a Petition to Intervene and Answer, requesting full intervenor status as an active party to the proceeding.

**II. Service on CAUSE-PA**

CAUSE-PA is represented by the attorneys at the Pennsylvania Utility Law Project, and requests consolidated service as follows:

Elizabeth R. Marx, Esq.  
John W. Sweet, Esq.  
Ria M. Pereira, Esq.  
Lauren N. Berman, Esq.  
**PENNSYLVANIA UTILITY LAW PROJECT**  
118 Locust Street  
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**III. Representation of CAUSE-PA at Prehearing Conference**

CAUSE-PA will be represented by Ria M. Pereira, Esq. at the Prehearing Conference.

**IV. Settlement**

CAUSE-PA is willing and ready to engage in settlement discussions at any time in an attempt to resolve or narrow the issues in this proceeding, with any and all parties, and encourages the parties to set aside time early in the process for meaningful settlement discussions to commence.

**V. Discovery**

CAUSE-PA respectfully requests that answers to written interrogatories are required to be served in-hand within 10 calendar days of service.

**VI. Litigation Schedule**

CAUSE-PA is actively working with the parties to arrive at a mutually agreeable schedule for litigation. As of the filing of this Prehearing Conference Memorandum, the majority of parties have indicated that the following proposed procedural schedule is acceptable:

Non-Company Parties' Direct Testimony	June 30, 2021
Rebuttal Testimony	July 26, 2021
Surrebuttal Testimony	August 10, 2021, at noon
Rejoinder Outlines	August 13, 2021
Hearings	August 16-18, 2021
Close of Record	August 18, 2021
Main Brief	September 3, 2021

**VII. Witnesses and Testimony**

CAUSE-PA intends to present the following witness to testify in this matter, and reserves the right to call additional witnesses as may be warranted upon notice to Your Honors and parties:

Harry S. Geller, Esq.  
c/o Pennsylvania Legal Aid Network  
118 Locust Street  
Harrisburg, PA 17101  
Phone Number: 717-236-9486  
[hgellerpulp@palegalaid.net](mailto:hgellerpulp@palegalaid.net)

Mr. Geller will address the issues identified below, as well as any other relevant issues that may arise through the course of this proceeding.

**VIII. Issues to be Presented**

Continued delivery of safe, affordable electric service is of critical importance to the safety, welfare, and economic stability of all Pennsylvanians – particularly those with limited financial means. In recognition of this fact, the law requires that electric services be universally available at an affordable rate, and that all universal service programs be developed, maintained, and appropriately funded to ensure such affordability. See 66 Pa. C.S. § 2203(3), (8). Thus, in addition to compliance with sound rate making principles, including the requirement that rates be just and reasonable, Duquesne Light must also ensure that its rates and tariff comply with universal service requirements. See 66 Pa. C.S. § 2203(8). In the event the Commission approves any electric distribution rate increase, it should condition approval on Duquesne Light's agreement to perform such actions as are necessary to ensure service remains universally accessible to those

who reside in Duquesne Light's service territory and in compliance with all applicable sections of the Public Utility Code, Commission regulations and policy, and prior Commission orders.

CAUSE-PA has conducted an initial review of Duquesne Light's proposed tariff changes and testimony, and opposes Duquesne Light's request on the grounds that the proposed rate increase and tariff changes may result in unjust and unreasonable rates that would impose severe financial hardship on low and moderate income residential customers. CAUSE-PA identifies the following specific issues of concern, which it intends to address in this proceeding, though it reserves the right to raise additional issues which may arise through the course of this proceeding:

- i. The conformity to law and the effect of Duquesne Light's rate filing and proposed rate increase on low income households.
- ii. The effect of Duquesne Light's proposal on the ability of low income customers to achieve appreciable bill savings through adoption of energy efficiency measures.
- iii. The effect of Duquesne Light's rate filing and proposed rate increase on low income households enrolled in or eligible for Duquesne Light's Universal Service Programs, and the adequacy of those programs in delivering universally accessible electric service.
- iv. The justness and reasonableness of Duquesne Light's pilot programs and proposed pilot programs, including but not limited to, the Residential Subscription Rate Pilot and EV ChargeUp Pilot.

#### **IX. Public Input Hearings**

CAUSE-PA strongly supports public input hearings in this proceeding. The issues in this proceeding are of significant importance to the affordability and accessibility of electric

service in Duquesne Light's service territory and should be open to public comment to help inform the Commission's decision in this proceeding.

WHEREFORE, CAUSE-PA respectfully submits this Prehearing Conference Memorandum.

Respectfully submitted,

**PENNSYLVANIA UTILITY LAW PROJECT**  
*Counsel for CAUSE-PA*



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Ria M. Pereira, Esq., PA ID: 316771  
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Date: May 25, 2021

**BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION**

<b>Pennsylvania Public Utility Commission, et al.</b>	:	
	:	
<b>v.</b>	:	<b>Docket No. R-2021-3024750</b>
	:	
<b>Duquesne Light Company</b>	:	

**Certificate of Service**

I hereby certify that I have this day served copies of the **Prehearing Conference Memorandum of the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania** upon the parties of record in the above captioned proceeding in accordance with the requirements of 52 Pa. Code § 1.54, and consistent with the Commission’s Emergency Order issued on March 20, 2020, in the manner and upon the persons listed below.

**VIA EMAIL ONLY**

Deputy Chief Administrative Law Judge Joel H. Cheskis Pennsylvania Public Utility Commission Office of Administrative Law Judge 801 Market Street, Suite 4063 Philadelphia, PA 19107 <a href="mailto:jcheskis@pa.gov">jcheskis@pa.gov</a>	Administrative Law Judge John M. Coogan Pennsylvania Public Utility Commission Office of Administrative Law Judge 801 Market Street, Suite 4063 Philadelphia, PA 19107 <a href="mailto:jcoogan@pa.gov">jcoogan@pa.gov</a>
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<p>Derrick Price Williamson  Barry A. Naum  Spilman Thomas &amp; Battle, PLLC  1100 Bent Creek Boulevard, Suite 101  Mechanicsburg, PA 17050  Phone: (717) 795-2740  Fax: (717) 795-2743  <a href="mailto:dwilliamson@spilmanlaw.com">dwilliamson@spilmanlaw.com</a>  <a href="mailto:bnaum@spilmanlaw.com">bnaum@spilmanlaw.com</a></p>	<p>Tishekia E. Williams, Esq.  Emily M. Farah, Esq.  Michael Zimmerman, Esq.  James Davis  Duquesne Light Company  411 Seventh Ave, MD 15-7  Pittsburgh, PA 15219  <a href="mailto:twilliams@duqlight.com">twilliams@duqlight.com</a>  <a href="mailto:efarah@duqlight.com">efarah@duqlight.com</a>  <a href="mailto:mzimmerman@duqlight.com">mzimmerman@duqlight.com</a>  <a href="mailto:jdavis4@duqlight.com">jdavis4@duqlight.com</a></p>

Respectfully Submitted,  
**PENNSYLVANIA UTILITY LAW PROJECT**  
*Counsel for CAUSE-PA*

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