

CITIZEN POWER

Public Policy Research Education and Advocacy

November 6, 2009

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, Pennsylvania 17120

Re: *Petition of Duquesne Light Company for Approval of Default Service Plan for the Period January 1, 2011 through May 31, 2013*, Docket No. P-2009-2135500

Dear Secretary McNulty:

Enclosed for filing in the referenced proceeding is the Petition to Intervene of Citizen Power, Inc. Copies have been served as indicated on the Certificate of Service.

If there are any problems with this filing, please contact the undersigned at 412-421-7029. Thank you.

Respectfully Yours,

Theodore S. Robinson
Staff Attorney
Citizen Power
2121 Murray Avenue
Pittsburgh, PA 15217

Enclosures

cc: The Honorable John H. Corbett, Jr. (w/ enclosures)

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of Duquesne Light Company :
for Approval of Default Service Plan : **Docket No. P-2009-2135500**
for the Period January 1, 2011 through :
May 31, 2013 :

PETITION TO INTERVENE OF CITIZEN POWER, INC.

Pursuant to 52 Pa. Code §§ 5.71 to 5.74, Citizen Power, Inc. (“Citizen Power”) hereby petitions to intervene in the captioned proceeding. In support of its Petition to Intervene in the Petition of Duquesne Light Company (“Duquesne Light” or “the Company”) for Approval of Default Service Plan (“POLR V Plan”) for the Period January 1, 2011 through May 31, 2013, Citizen Power states as follows:

1. On October 9, 2009, Duquesne Light filed its Petition for Approval of its POLR V Plan for the Period January 1, 2011 through May 31, 2013 with the Pennsylvania Public Utility Commission.

2. Duquesne Light’s POLR V Plan proposes setting a flat rate of 7.86 cents per kWh for the generation portion of all residential service. This represents an increase in generation costs of over 10% for the average residential customer and a total bill increase of over 5% for the average residential customer.

3. Duquesne Light proposes to procure power for residential service through a managed portfolio of bilateral contracts along with some spot market purchases from the PJM Market. The Company anticipates that power will be procured from between 6 and 12 different suppliers and has committed to not contract with any of their affiliates in connection with this procurement.

4. As part of Duquesne Light's POLR V Plan, the Company proposes conducting an RFP for up to 5 MW of new solar-power generation and to conduct a competitive procurement of up to 100 MW of new Pennsylvania Tier 1 facilities.

5. Citizen Power is a non-profit, 501(c)(3), public policy research, education and advocacy organization incorporated under the laws of the Commonwealth of Pennsylvania with its principal place of business located at 2121 Murray Avenue, Pittsburgh, Pennsylvania 15217.

6. Citizen Power devotes almost all of its resources to consumer (particularly low-income consumers) and environmental protection issues with a focus on the impact of the deregulation of electricity generation on these interests. Citizen Power has participated in numerous restructuring proceedings at the state and federal level. Citizen Power has been a statewide advocate for lower energy costs and increased use of renewable energy and energy-efficiency technologies.

7. Citizen Power has been a participant on behalf of customers in previous Duquesne Light proceedings before the Commission, including Docket No. P-00072247 (relating to Duquesne's "POLR IV" Petition), Docket No. R-00974104 (Duquesne's "POLR II" Settlement proceeding), Docket No. P-00021969 (regarding Duquesne's petition to modify its "POLR II" Plan in connection with the Company's intention to join PJM West), and Docket No. P-00032071 (relating to modification of Duquesne's POLR II rates).

8. In addition to its corporate purpose of representing the interests of consumers, Citizen Power has an interest in this proceeding as a Duquesne retail customer.

9. Duquesne Light's Petition will necessarily have an impact on the Company's rates for retail customers and will also ultimately have potential environmental impacts. As such, Citizen Power respectfully submits that its interests may be directly affected by the outcome of

this proceeding, that such interests are not adequately represented by existing participants, and that Citizen Power may be bound by the action of the Commission in this proceeding. Further, Citizen Power submits that its participation in this case is in the public interest.

10. Citizen Power's present position with respect to the Duquesne Light Petition is that additional investigation and study are needed to determine whether Allegheny Power's proposed rates are just, reasonable and otherwise in accordance with applicable law.

11. Citizen Power will be represented by, and requests that all documents in this proceeding be served on, its attorney at the following address:

Theodore S. Robinson
Citizen Power
2121 Murray Avenue
Pittsburgh, PA 15217
(412) 421-7029 (phone)
(412) 412-6162 (fax)
robinson@citizenpower.com

WHEREFORE, for the reasons set forth herein, Citizen Power respectfully petitions the Commission for leave to intervene in this proceeding and asks that it be made a party with all rights and privileges associated therewith.

Respectfully Submitted,

Citizen Power, Inc.

By: /s/ Theodore S. Robinson
Theodore S. Robinson (PA Bar # 203852)
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Dated: November 6, 2009

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PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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NOTICE OF APPEARANCE

In accordance with 52 Pa. Code § 1.25, the undersigned hereby submits this notice of appearance in the above-designated matter.

1. Please enter my appearance in the above-designated matter on behalf of Citizen Power, Inc.
2. I am authorized to accept service on behalf of said party in this matter.
3. I am already receiving or have access to a copy of each document issued by the Commission in this matter and do not on the basis of this notice require an additional copy.

Respectfully Submitted,

Citizen Power, Inc.

By: /s/ Theodore S. Robinson
Theodore S. Robinson (PA Bar # 203852)
Citizen Power
2121 Murray Avenue
Pittsburgh, PA 15217
(412) 421-7029 (phone)
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CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of (1) the Petition to Intervene of Citizen Power, Inc. and (2) the Entry of Appearance for Theodore Robinson upon the participants listed below, in accordance with the requirements of § 1.54 (relating to service by a participant), in the manner and upon the persons listed below:

Dated this 6th day of November, 2009.

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