

CITIZEN POWER

Public Policy Research Education and Advocacy

September 23, 2010

Rosemary Chiavetta, Secretary
Pa. Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

**Re: Pennsylvania Public Utility Commission, *et al* v. Duquesne Light Company
Docket Nos. R-2010-2179522, C-2010-2193322, C-20102194660, C-2010-2196479, C-2010-
2196790, C-2010-2199926, C-2010-2199945**

Dear Secretary Chiavetta:

Enclosed for filing with the Commission please find the Prehearing Memorandum of Citizen Power in the above-referenced proceeding.

Sincerely,



Theodore Robinson
Counsel for Citizen Power

Enclosure

cc: per Certificate of Service
Honorable Mark A. Hoyer
Honorable Conrad A. Johnson

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:	Docket No.	R-2010-2179522
Office of Small Business Advocate	:		C-2010-2193322
Office of Consumer Advocate	:		C-2010-2194660
Janet Vento	:		C-2010-2196479
Mary Chestnut	:		C-2010-2196790
Donald Killmeyer	:		C-2010-2199926
Sarah Divilly	:		C-2010-2199945
	:		
v.	:		
	:		
Duquesne Light Company	:		

PREHEARING MEMORANDUM OF CITIZEN POWER, INC.

Pursuant to the Public Utility Code, 52 Pa. Code § 5.222(d)(1), and in response to the September 17, 2010 Administrative Law Judges' Prehearing Conference Order in the above-captioned matter, Citizen Power, Inc. ("Citizen Power") provides the following information:

I. Service List: Citizen Power respectfully requests that its entry on the service list should be for its counsel, as follows:

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

Counsel consents to the service of documents by electronic mail to robinson@citizenpower.com, as provided in 52 Pa. Code § 1.54(b)(3).

II. Settlement: Citizen Power recognizes the potential savings for the Court and the Parties that can be achieved through settlement. Citizen Power is amenable to settlement discussions and the possibility of reaching a settlement in this matter.

III. Schedule and Discovery Rules: Certain parties have been working together to develop a schedule for this proceeding prior to the Petition to Intervene of Citizen Power. Citizen Power will work with the parties at the Prehearing Conference to develop a reasonable schedule and any necessary modifications to the Commission's discovery rules.

IV. Witnesses: At this time, Citizen Power has not decided whether they will offer testimony in this matter. If it is determined that Citizen Power will be calling a witness, the Administrative Law Judges and other parties will be notified as soon as the witness is identified.

V. Issues: Citizen Power is in the process of reviewing the filing and testimony submitted by the Duquesne Light Company ("Duquense"). From a broad perspective, Citizen Power is investigating whether the proposed rate increases are reasonable. More narrowly, Citizen Power has determined that it has concerns that the increase in the fixed charges for residential customers may discourage energy conservation. In addition, Citizen Power will be investigating the impacts of the proposed rate increase upon different customer classes. At this time, Citizen Power continues to evaluate its position on the filing and will refine its position based upon further study of the plan, review of discovery and additional input from other parties. Petitioner reserves the right to raise other issues as necessary and appropriate during the course of the proceeding and to respond to issues raised by other parties.

Respectfully Submitted,

Citizen Power, Inc.

By: 

Theodore S. Robinson (PA Bar # 203852)

Citizen Power

2121 Murray Avenue

Pittsburgh, PA 15217

(412) 421-7029 (phone)

Dated September 23, 2010

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:	Docket No.	R-2010-2179522
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	:		
	:		
v.	:		
	:		
Duquesne Light Company	:		

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the Prehearing Memorandum of Citizen Power, Inc. upon the participants listed below, in accordance with the requirements of § 1.54 (relating to service by a participant).

VIA FIRST CLASS MAIL AND/OR E-MAIL

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Dated this 21st day of September, 2010

By: 
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