

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of	)	EB Docket No. 11-71
)	
MARITIME COMMUNICATIONS/LAND	)	File No. EB-09-IH-1751
MOBILE, LLC	)	FRN: 0013587779
)	
Participant in Auction No. 61 and Licensee of)	
Various Authorizations in the Wireless Radio)	
Services)	
)	
Applicant for Modifications of Various	)	Application File Nos.
Authorizations in the Wireless Radio Services	)	0004030479, 0004144435,
	)	0004193028, 0004193328,
Applicant with ENCANA OIL AND GAS (USA),	)	0004354053, 0004309872,
INC.; DUQUESNE LIGHT COMPANY; DCP	)	0004310060, 0004314903,
MIDSTREAM, LP; JACKSON COUNTY	)	0004315013, 0004430505,
RURAL MEMBERSHIP ELECTRIC	)	0004417199, 0004419431,
COOPERATIVE; PUGET SOUND ENERGY,	)	0004422320, 0004422329,
INC.; ENBRIDGE ENERGY COMPANY,	)	0004507921, 0004153701,
INC.; INTERSTATE POWER AND LIGHT	)	0004526264, and 0004604962
COMPANY; DIXIE ELECTRIC)	
MEMBERSHIP CORPORATION, INC.;)	
ATLAS PIPELINE-MID CONTINENT, LLC;)	
AND SOUTHERN CALIFORNIA REGIONAL)	
RAIL AUTHORITY)	
)	
For Commission Consent to Assignment of Various)	
Authorizations in the Wireless Radio Services)	

RE-FILED CONFIDENTIALITY DESIGNATIONS OF DUQUESNE LIGHT COMPANY

Duquesne Light Company (“Duquesne”), by its undersigned counsel, and pursuant to the Protective Order in the above-captioned proceeding (FCC 11M-21), submits herewith redacted portions of Volume 13 of the hearing transcript, covering the proceedings on December 13, 2014.

The following pages have been redacted, in part, and are designated by Duquesne for confidential treatment. As such, unredacted versions of these pages should be removed from any

version of the hearing transcript made available to the public via ECFS or otherwise, and redacted pages substituted.

1662 (11-19, 24-25)
1663 (1-3)
1672 (20-25)
1673 (1-13)
1679 (2-25)
1680 (4-13)
1683 (2-12)
1684 (1-11)
1685 (5-10, 21-25)
1686 (1-2)

In accordance with the Protective Order, paragraph 10(b), marked and redacted substitute pages are submitted herewith.

Respectfully submitted,



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DATED: January 15, 2015

AMENDED CERTIFICATE OF SERVICE

I, Charles A. Zdebski, certify that on this 23rd day of January, 2015, I caused a true and correct copy of the foregoing RE-FILED Confidentiality Designations of Duquesne Light Company to be served via electronic mail, upon:

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Washington, DC 20554

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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

IN THE MATTER OF:	:	EB Docket No.
	:	11-71
MARITIME COMMUNICATIONS /	:	
LAND MOBILE, LLC	:	File No.
	:	EB-09-IH-1751
Participant in Auction No.	:	
61 and Licensee of Various	:	FRN:
Authorizations in the	:	0013587779
Wireless Radio Services	:	
	:	Application
Applicant for Modification	:	File Nos.
of Various Authorizations in	:	0004030479,
the Wireless Radio Services	:	0004193028,
	:	0004193328,
Applicant with ENCANA OIL	:	0004354053,
AND GAS (USA), INC.; DUQUESNE	:	0004309872,
LIGHT COMPANY, DCP MIDSTREAM,	:	0004310060,
LP; JACKSON COUNTY RURAL	:	0004314903,
MEMBERSHIP ELECTRIC	:	0004315013,
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ENERGY, INC.; ENBRIDGE ENERGY	:	0004417199,
COMPANY, INC.; INTERSTATE	:	0004419431,
POWER AND LIGHT COMPANY;	:	0004422320,
WISCONSIN POWER AND LIGHT	:	0004422329,
COMPANY; DIXIE ELECTRIC	:	0004507921,
MEMBERSHIP CORPORATION, INC.;	:	0004526264,
and ATLAS PIPELINE-MID	:	and
CONTINENT, LLC;	:	0004604962
	:	
For Commission Consent to	:	
the Assignment of Various	:	
Authorizations in the	:	
Wireless Radio Service	:	

Thursday,
December 11, 2014

VOLUME 13

Courtroom TWA-363
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

The above-entitled matter came on for hearing, pursuant to notice, at 10:00 a.m.

BEFORE:

RICHARD L. SIPPEL,
Chief Administrative Law Judge

APPEARANCES:

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ALSO PRESENT:

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INDEX

Opening Statements

None

Closing Statement

None

WITNESS

DIRECT CROSS REDIRECT RECROSS

Lee Pillar

1658

By Mr. Stegner

1661

EXHIBITS

Bench

Identified Received Rejected

3

1650

Hearing Began: 10:05 a.m. Hearing Ended: 4:28 p.m.

1 and then ask if he understands the sentence.

2 MR. STENGER: I'll give you a moment to read that.

3 JUDGE SIPPEL: Read the sentence.

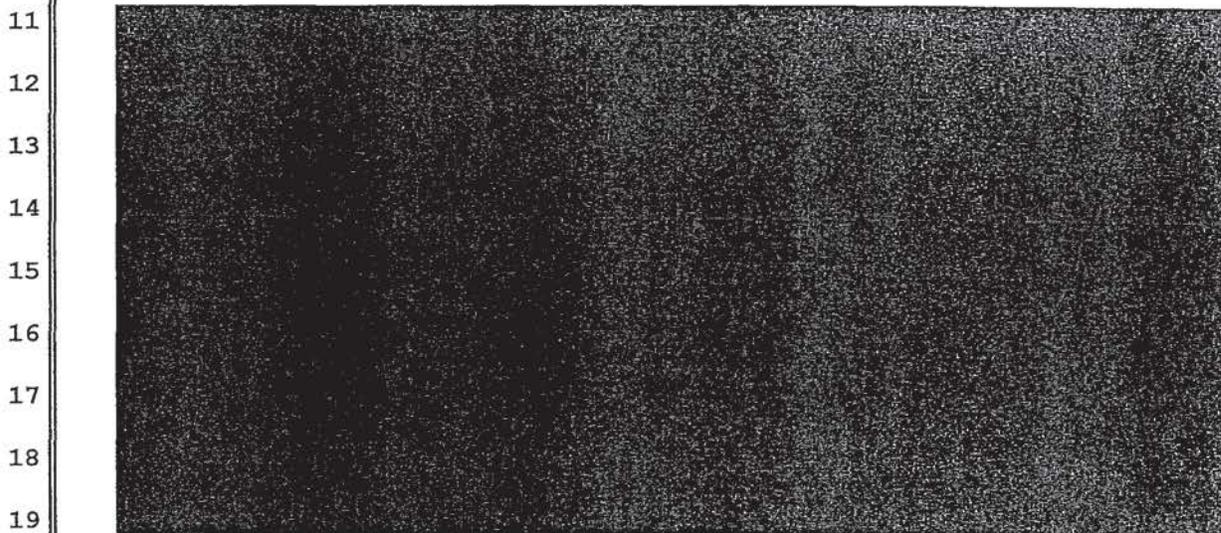
4 THE WITNESS: Okay.

5 JUDGE SIPPEL: Let us know when you're finished but take
6 your time.

7 THE WITNESS: Okay. I read it.

8 BY MR. STENGER:

9 Q Did Duquesne use maritime spectrum for those types of
10 communications?



20 Q Of the other functions that you list there --

21 A We would also like to use and, since we've had --

22 Q No. I'm sorry. I don't mean to interrupt you. But I
23 asked, did -- which of these did you actually use?



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[REDACTED]

[REDACTED]

[REDACTED]

The spectrum -- we have tested radios and it works great with our protection and control relays. It works great with our new distribution automation. It would work great with our smart meter program, but they've elected to go with the 900 because of the ongoing disputes with the 220 spectrum that Maritime sold us.

Q Don't most utilities use 900 for meter reading?

A A lot of companies use wireless modems that go through Verizon or AT&T. It depends on their territory. A lot of people use 365. In our territory, they want to use 365 because of the bandwidth but, when you're at 1 watt, you're not going to reach out and touch much.

The 900 is better than the 365. It's -- but it's nowhere near the 220. It's all art of physics, the lower frequency. And the 220 gives you, you know, between the VHF and UHF range, it's the best of both worlds and it serves our purpose greatly.

Q I'm sorry. I'm not sure what your answer was. In your knowledge as an engineer, do most utilities use 900?

A No, not most. But it depends on --

Q Well, wait a minute.

A Each utility has a different -- like Houston, Texas has nowhere the terrain that we have in Pittsburgh. So, therefore, they can use the 900 a lot easier than we can use it.

1 MR. STENGER: I'm going to go back to a --

2 JUDGE SIPPEL: What is a propagation study?

3 THE WITNESS: It tells you where -- what you think --
4 you put into the computer the type of antenna, the frequency, the
5 power that you're using and it'll show you where it's going to hit.
6 It's about 90 percent --

7 JUDGE SIPPEL: Where it's most efficient --

8 THE WITNESS: Yes.

9 JUDGE SIPPEL: -- location would be?

10 THE WITNESS: Yes.

11 BY MR. STENGER:

12 Q You did propagation studies for your towers?

13 A Yes, on our towers.

14 Q You're not saying you did any studies of the Maritime's
15 --

16 A No. I used Maritime's frequencies and I put them on
17 our towers and I did propagation studies.

18 Q Of your towers?

19 A Of our towers, communication towers.

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1 [REDACTED]

10 [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

14 Q And is there somebody higher above him --

15 MR. ENGEL: Objection, Your Honor.

16 MR. KIRK: This isn't discovery here.

17 MR. STENGER: I'm just trying to find out --

18 JUDGE SIPPEL: Sustained.

19 MR. STENGER: -- how high up in the chain --

20 JUDGE SIPPEL: Sustained. Next question.

21 MR. STENGER: Was there a reason why they picked you to

22 give the statement rather than one of these other guys?

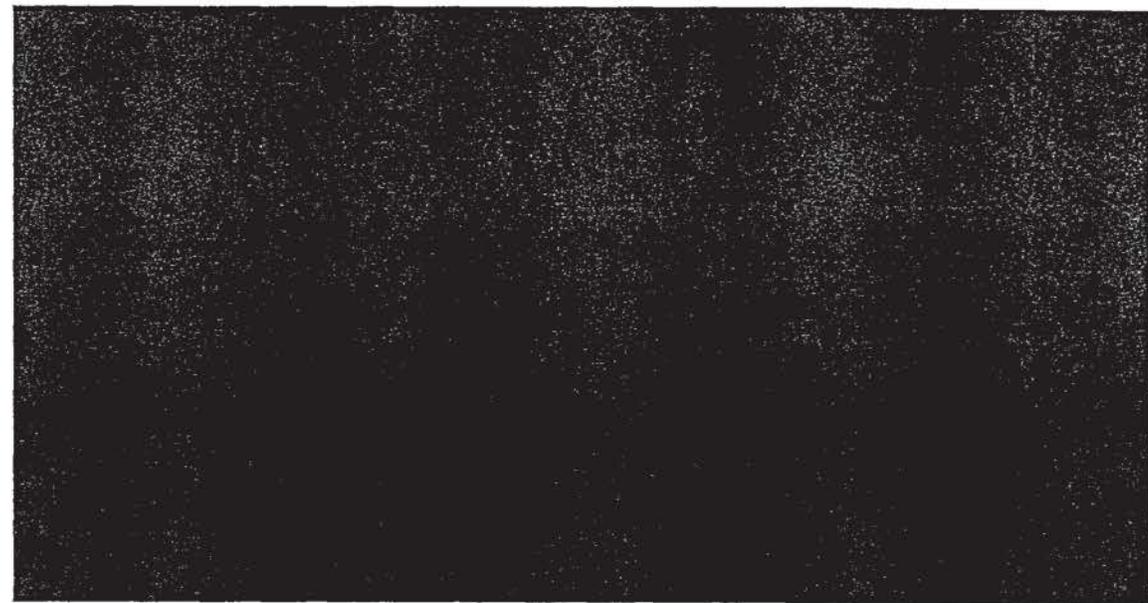
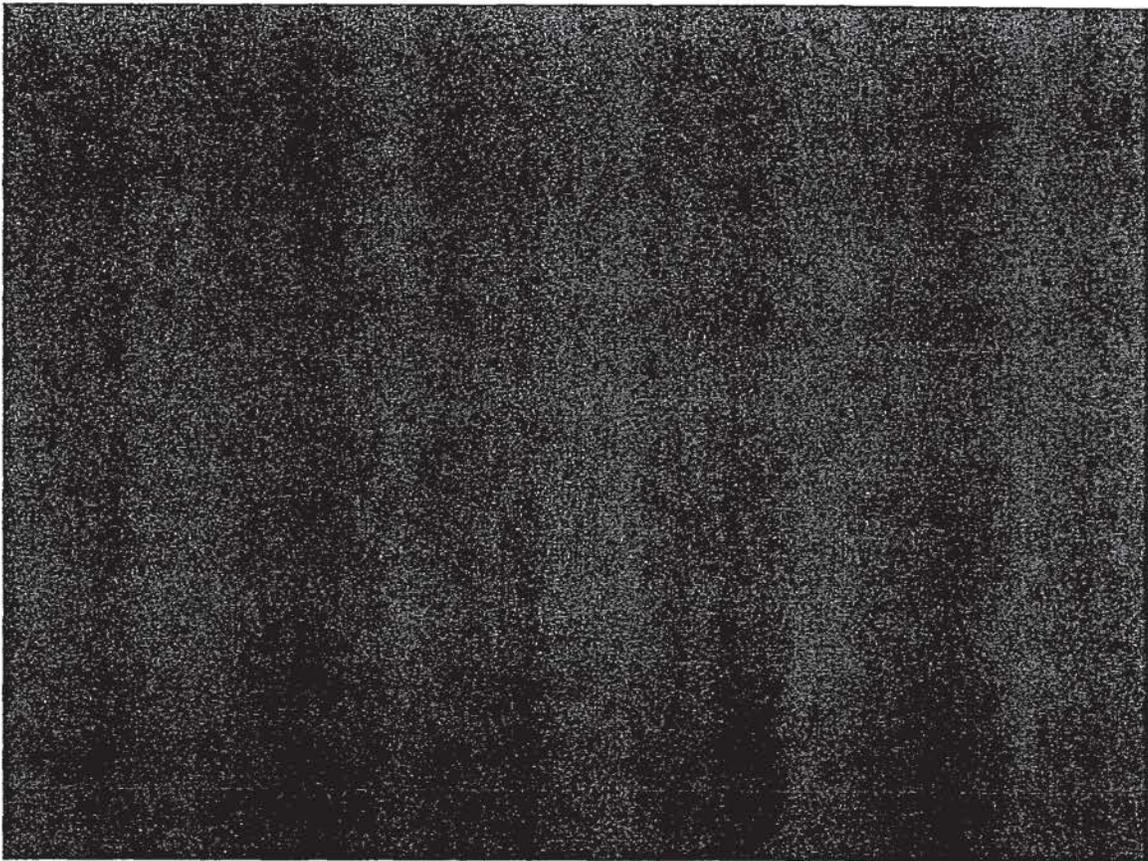
23 MR. ENGEL: Objection, Your Honor.

24 JUDGE SIPPEL: Sustained.

25 MR. STENGER: Why were you selected to prepare this

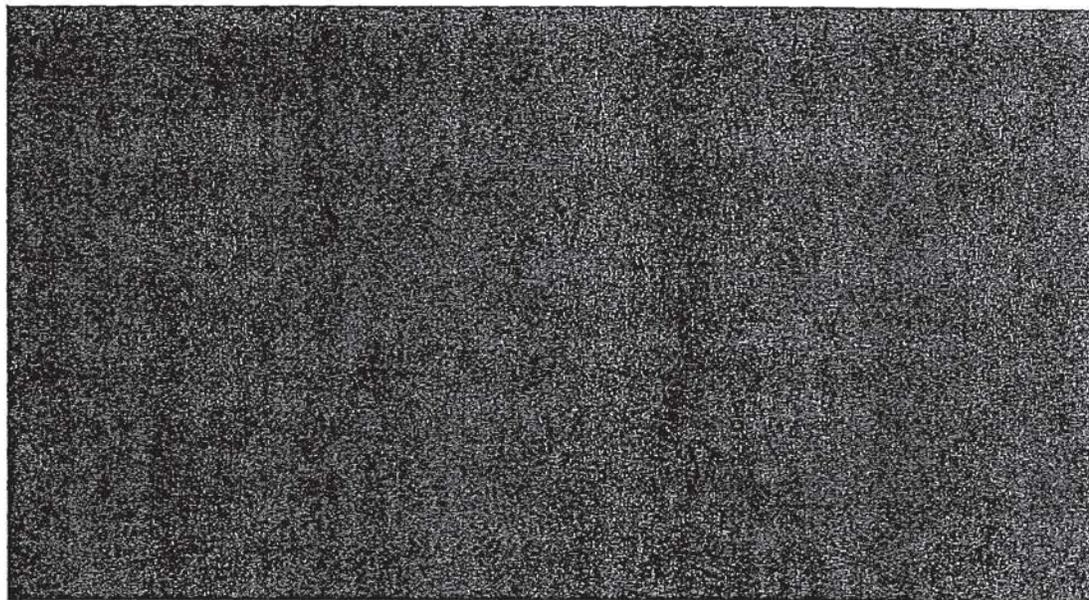
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BY MR. HAVENS:



1 Q Now, were you --

2 JUDGE SIPPEL: Go ahead and let him finish. Go on,
3 sir?



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13 (Simultaneous speaking)

14 JUDGE SIPPEL: Wait a minute.

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16 THE WITNESS: If you had listened to me earlier, I said that
17 I did them and they agreed with my findings and I agree with
18 theirs.

19 JUDGE SIPPEL: Right. You referred to him as an expert
20 and he's not an expert.

21 MR. HAVENS: No. I said an expert or a qualified
22 person.

23 JUDGE SIPPEL: And that did not apply to Mr. Pillar.

24 MR. HAVENS: No. I took it that his testimony -- the
25 first thing I asked him, do you have background in wireless

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MR. ENGEL: Objection. That's a legal conclusion.

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JUDGE SIPPEL: That's a legal conclusion.

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MR. HAVENS: What knowledge do you have which by which you believe you are limited to a county border?

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JUDGE SIPPEL: You asked a question of what this witness does. That's -- and that's it. You can't ask him about what advice he gets or what this insight and this kind of stuff. He's established himself as being qualified to do the job that he does. Ask questions about how he does the job.

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BY MR. HAVENS:

23

Q How do you do the job to determine placement of

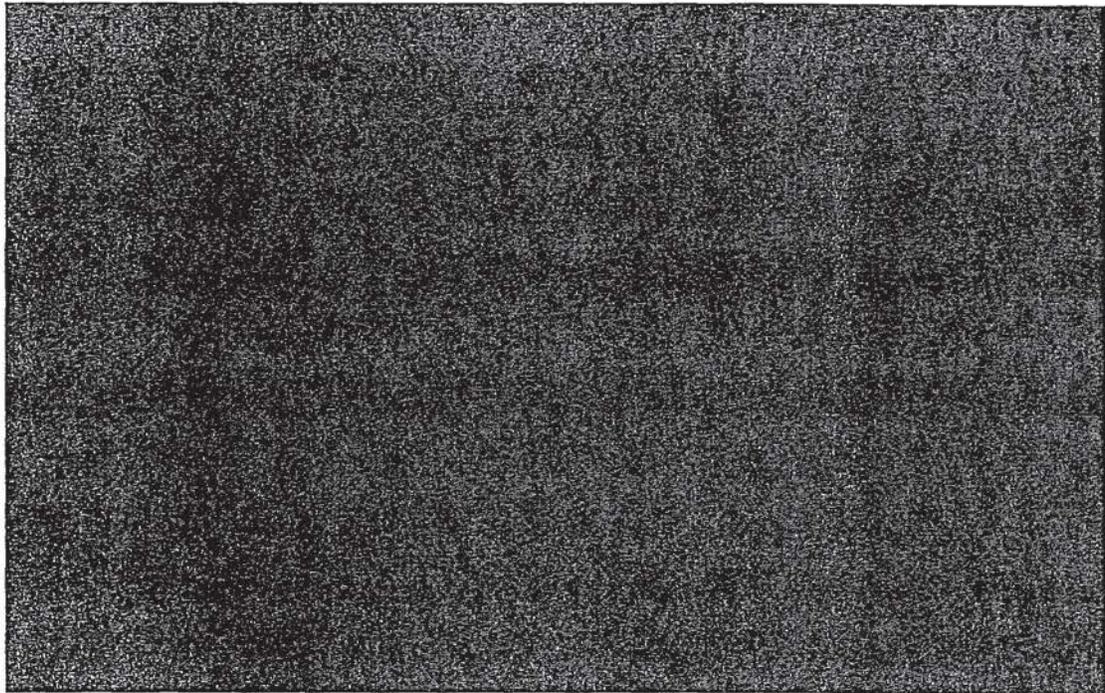
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stations in geography up to a county border or whatever geographic

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limitations you have?

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Q I have one more general question that might have a couple subparts.

JUDGE SIPPEL: All right. Take them one at a time.

BY MR. HAVENS:

Q It sounds like a real simple question but it's leading somewhere. The FCC issues licenses for AMTS radio communications. Are you aware of that?

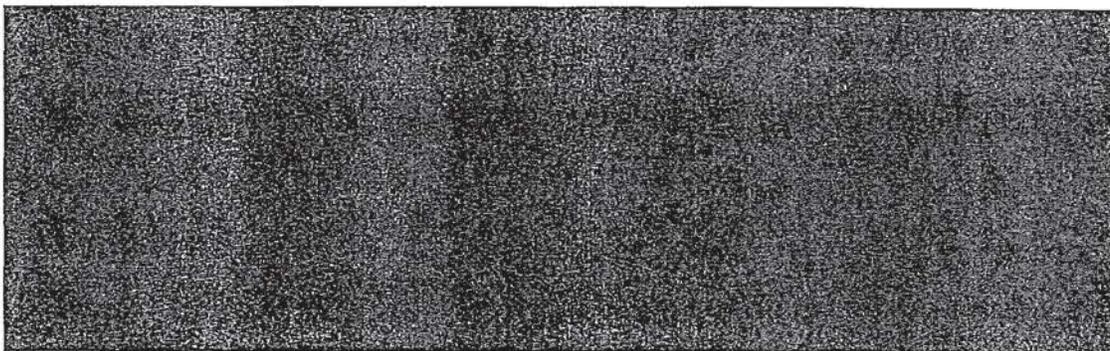
A Yes.

Q Have you ever seen a copy of the AMTS license that Maritime has, which is the basis of your using the spectrum? Have you seen a copy of that license?

A For the 220 spectrum?

Q For AMTS, which is 217 and 219 megahertz. And it is not 220 megahertz.

1 A I'm sorry. Excuse me, I thought it was a 200 spectrum.
2 That's what they refer to. I apologize. I have not seen that
3 license. I was told that we were leasing it ; I was supposed to
4 get them and I never received them.



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11 Q Did the legal department give you any written
12 guidelines, if they didn't give you a copy?

13 MR. ENGEL: Objection.

14 MR. HAVENS: It's not a legal question.

15 JUDGE SIPPEL: Well, you get legal advice from the
16 legal department.

17 MR. HAVENS: Well, you didn't let me finish. If you
18 could please just let me finish and then -- what I'm saying is --

19 JUDGE SIPPEL: You're a patient man.

20 BY MR. HAVENS:



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MR. ZDEBSKI: Your Honor --

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THE WITNESS: I knew --

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(Simultaneous speaking)

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JUDGE SIPPEL: Just a second, sir. Your counsel is --

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MR. ZDEBSKI: Your Honor, I'm not sure if I'm allowed

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to say anything.

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JUDGE SIPPEL: Yes, you are.

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MR. ZDEBSKI: Okay.

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JUDGE SIPPEL: You're his counsel, is that right?

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MR. ZDEBSKI: Yes, sir. I object to any question that

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THE COURT REPORTER: Could you come to the main table,

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sir?

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MR. ZDEBSKI: Oh, I object to any question that seeks

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either the substance of the legal advice or any communication that

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was exchanged between Mr. Pillar and Duquesne in-house law

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department and their outside counsel.

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JUDGE SIPPEL: All right. And your name?

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MR. ZDEBSKI: Charlie Zdebski, counsel for Duquesne

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Light Company.

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JUDGE SIPPEL: Have a seat at the table.

24

MR. ZDEBSKI: Thank you.

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JUDGE SIPPEL: Okay. I sustain that objection. He's