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April 19, 2010

Via Electronic Filing

Secretary
PA Public Utility Commission
PO Box 3265
Harrisburg, PA 17105-3265

Re: PA Public Utility Commission v. Philadelphia Gas Works
Docket Nos. R-2009-2139884 and P-2009-2097639

Dear Secretary:

On behalf of Philadelphia Gas Works ("PGW") enclosed please find the original of its Petition for Leave to Withdraw its Motion for Partial Summary Judgment along with the electronic filing confirmation with regard to the above-referenced matter. Copies have been served in accordance with the attached Certificate of Service.

Very truly yours,



Carl Shultz

CS/lww

Enclosure

cc: Hon. Charles Rainey, Esq.
Cert. of Service w/enc.

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true and correct copy of PGW's Petition for Leave to Withdraw its Motion for Partial Summary Judgment upon the participants listed below in accordance with the requirements of § 1.54 (relating to service by a participant):

VIA E-MAIL &/OR FIRST CLASS MAIL

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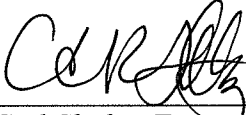
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Dated: April 19, 2010

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

PENNSYLVANIA PUBLIC UTILITY COMMISSION	:	
	:	
	:	
v.	:	Docket No. P-2009-2097639
	:	
PHILADELPHIA GAS WORKS	:	
	:	
PENNSYLVANIA PUBLIC UTILITY COMMISSION	:	
	:	
	:	
v.	:	Docket No. R-2009-2139884
	:	
	:	
PHILADELPHIA GAS WORKS	:	

**PETITION OF PHILADELPHIA GAS WORKS
FOR LEAVE TO WITHDRAW ITS
MOTION FOR PARTIAL SUMMARY JUDGMENT**

Pursuant to 52 Pa. Code § 5.94(a), Philadelphia Gas Works (“PGW”) submits this Petition for Leave to Withdraw the Joint Motion for Partial Summary Judgment in the above-captioned consolidated matter. In support of this Petition, PGW states as follows:

1. On March 9, 2010, PGW and Clean Air Council (CAC) filed a Joint Motion for Partial Summary Judgment (Motion) to Approve Settlement for Expedited Implementation of Residential DSM Programs (Settlement). That same day, they also filed a Joint Petition for Interlocutory Review of a Material Question (Joint Petition).
2. The Motion, Settlement and Joint Petition were contested by the Office of Trial Staff (OTS), the Office of Consumer Advocate (OCA), the Office of Small Business Advocate (OSBA). Two consumer organizations, Tenant Union Representative Network and Action Alliance of Senior Citizens of Greater Philadelphia (TURN) filed a Letter in Opposition to the Joint Petition.

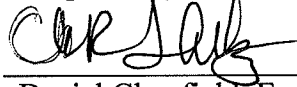
3. On April 15, 2010, the Commission (a) determined that the Joint Petition was improper; and (b) returned the Motion and Settlement to the Office of Administrative Law Judge for further proceedings.

4. In light of the Commission's Order of April 15, 2010 and the upcoming hearings (which are scheduled to begin on May 10, 2010), PGW respectfully requests that the Commission grant this petition to withdraw the Motion. Upon doing so, the issues may be decided in the hearing (or settlement) of these proceedings.

5. CAC joins this request to withdraw the Motion.

WHEREFORE, Philadelphia Gas Works respectfully requests that the Commission grant this petition to withdraw its Motion. Upon doing so, the issues may be decided in the hearing (or settlement) of these proceedings.

Respectfully submitted,



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Date: April 19, 2010