

COMMONWEALTH OF PENNSYLVANIA



OFFICE OF CONSUMER ADVOCATE

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September 1, 2009

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

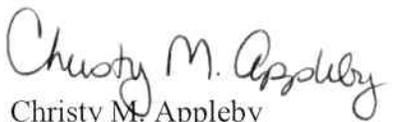
RE: Petition of West Penn Power Company
d/b/a Allegheny Power for Expedited
Approval of its Smart Meter Technology
Procurement and Installation Plan
Docket No. M-2009-2123951

Dear Secretary McNulty:

Enclosed for filing is the Notice of Intervention and Public Statement of the Office of Consumer Advocate, in the above-referenced proceeding.

Copies have been served as indicated on the enclosed Certificate of Service.

Respectfully Submitted,


Christy M. Appleby
Assistant Consumer Advocate
PA Attorney I.D. # 85824

Enclosures

cc: Honorable Mark A. Hoyer
Office of Special Assistants

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BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Petition of West Penn Power Company :
d/b/a Allegheny Power for Expedited : Docket No. M-2009-2123951
Approval of its Smart Meter Technology :
Procurement and Installation Plan :

NOTICE OF INTERVENTION

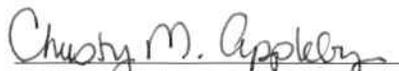
Pursuant to 52 Pa. Code Sections 5.71-74, the Office of Consumer Advocate hereby gives Notice of Intervention in the above-captioned proceeding. A copy of all correspondence and notices, documents, orders or other communications with respect to the above-captioned proceeding should be addressed to the following:

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Respectfully submitted,


Christy M. Appleby
Assistant Consumer Advocate
PA Attorney I.D. # 85824

DATED: September 1, 2009
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PUBLIC STATEMENT OF THE
OFFICE OF CONSUMER ADVOCATE
PURSUANT TO 71 P.S. SECTION 309-4(e)

Act 161 of the Pennsylvania General Assembly, 71 P.S. Section 309-2, as enacted July 9, 1976, authorizes the Consumer Advocate to represent the interests of consumers before the Pennsylvania Public Utility Commission (PUC or Commission). In accordance with Act 161, and for the following reasons, the Consumer Advocate determined to intervene and participate in the Petition of West Penn Power Company d/b/a Allegheny Power for Approval of its Smart Meter Technology Procurement and Installation Plan (Plan) before the Commission.

On August 14, 2009, West Penn Power Company d/b/a Allegheny Power (Allegheny Power or Company) filed its Petition and Smart Meter Technology Procurement and Installation Plan (SMIP or Plan) with the Pennsylvania Public Utility Commission (Commission) pursuant to Section 2807(f)(1) of the Public Utility Code and pursuant to the Implementation Order entered by the Commission at Docket No. M-2009-2092655 on June 24, 2009. Allegheny Power requests in the Petition that the Commission approve the Company's proposed SMIP, including full and current cost recovery via the Smart Meter Technology surcharge of "reasonable and prudent" costs regarding the Plan. Petition at 1. The Company proposes, in order to meet the requirements of Act 129, that it is necessary to install smart meters and associated smart meter technology to begin in 2009. *Id.* at 3. Allegheny Power's Plan proposes a total cost for the SMIP Plan of \$548 million, including \$410 million for development and deployment of the meter technology. SMIP Plan at 131. The Company anticipates that the SMT surcharge will charge residential customers an additional \$5.86 per month. SMIP Plan at 164.

The Consumer Advocate determined to intervene in this proceeding to protect the interests of Allegheny Power's customers; to ensure that the proposed Plan is in accordance with Act

129 and all other applicable statutes, regulations, and case law; and to ensure that any increase in rates resulting from the adoption of the proposed Plan is just and reasonable.

CERTIFICATE OF SERVICE

Petition of West Penn Power Company :
d/b/a Allegheny Power for Expedited : Docket No. M-2009-2123951
Approval of its Smart Meter Technology :
Procurement and Installation Plan :

I hereby certify that I have this day served a true copy of the foregoing document, the Notice of Intervention and Public Statement of the Office of Consumer Advocate, upon parties of record in this proceeding in accordance with the requirements of 52 Pa. Code Section 1.54 (relating to service by a participant), in the manner and upon the persons listed below:

Dated this 1st day of September 2009.

SERVICE BY E-MAIL and INTEROFFICE MAIL

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