

COMMONWEALTH OF PENNSYLVANIA



OFFICE OF CONSUMER ADVOCATE

555 Walnut Street, 5th Floor, Forum Place  
Harrisburg, Pennsylvania 17101-1923  
(717) 783-5048  
800-684-6560 (in PA only)

IRWINA. POPOWSKY  
Consumer Advocate

FAX (717) 783-7152  
consumer@paoca.org

October 27, 2009

Honorable Mark A. Hoyer  
Administrative Law Judge  
Pennsylvania Public Utility Commission  
1103 Pittsburgh State Office Building  
300 Liberty Avenue  
Pittsburgh, PA 15222

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 Judge Hoyer:

Please be advised that the Office of Consumer Advocate will not be filing Rebuttal Testimony, in the above-referenced proceeding.

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

Respectfully Submitted,

A handwritten signature in cursive script that reads "Christy M. Appleby".

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

Enclosures

cc: James J. McNulty – Letter and Certificate Only

00119203.docx

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 letter of the no Rebuttal Testimony 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 27<sup>th</sup> day of October 2009.

SERVICE BY E-MAIL and INTEROFFICE MAIL

Richard A. Kanaskie, Esquire  
Adeoulu Bakare, Esquire  
Office of Trial Staff  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street  
Harrisburg, PA 17120  
Counsel for: *Office of Trial Staff*

SERVICE BY E-MAIL and FIRST CLASS MAIL

John L. Munsch, Esquire  
Allegheny Energy  
800 Cabin Hill Drive  
Greensburg, PA 15601-1689  
Counsel for: *Allegheny Power Company*

John Povilaitis, Esquire  
Ryan Russell Ogden & Seltzer  
800 N. Third Street, Suite 101  
Harrisburg, PA 17102  
Counsel for: *Allegheny Power Company*

Adam L. Benshoff, Esquire  
Shelby Linton-Keddie, Esquire  
McNees Wallace & Nurick, LLC  
100 Pine Street  
P.O. Box 1166  
Harrisburg, PA 17108-1166  
Counsel for: *West Penn Power Industrial  
Intervenors*

Lauren Lepkoski  
Assistant Small Business Advocate  
Office of Small Business Advocate  
Commerce Building, Suite 1102  
300 North Second Street  
Harrisburg, PA 17101  
Counsel for: *Office of Small Business Advocate*

Scott Perry, Assistant Counsel  
Aspassia V. Staevska, Assistant Counsel  
Commonwealth of Pennsylvania  
RCSOB, 9<sup>th</sup> Floor  
400 Market Street  
Harrisburg, PA 17101  
Counsel for: *Department of Environmental  
Protection*

George Jugovic, Assistant Counsel  
Commonwealth of Pennsylvania  
Department of Environmental Protection  
400 Waterfront Drive  
Pittsburgh, PA 15222-4745  
Counsel for: *Department of Environmental  
Protection*

Harry Geller, Esquire  
John Gerhard, Esquire  
Julie George, Esquire  
PA Utility Law Project  
118 Locust Street  
Harrisburg, PA 17101  
Counsel for: *Pennsylvania Association of  
Community Organizations for Reform Now*

Christopher A. Lewis, Esquire  
Christopher R. Sharp, Esquire  
Melanie J. Tambolas, Esquire  
Blank Rome, LLP  
One Logan Square  
Philadelphia, PA 19103  
Counsel for: *Constellation NewEnergy, Inc. and  
Constellation Energy Commodities Group, Inc*

Divesh Gupta  
Constellation NewEnergy  
111 Market Place  
Suite 500  
Baltimore, MD 21202  
Counsel for: *Constellation NewEnergy, Inc. and  
Constellation Energy Commodities Group, Inc*

Theodore S. Robinson, Esquire  
Citizen Power  
2121 Murray Avenue  
Pittsburgh, PA 15217  
Counsel for: *Citizen Power, Inc.*

  
Christy M Appleby  
Assistant Consumer Advocate  
PA Attorney I.D. # 85824  
E-Mail: CAppleby@paoca.org  
Tanya J. McCloskey  
Senior Assistant Consumer Advocate  
PA Attorney I.D. # 50044  
E-Mail: TMcCloskey@paoca.org  
Counsel for  
Office of Consumer Advocate  
555 Walnut Street  
5th Floor, Forum Place  
Harrisburg, PA 17101-1923  
Phone: (717) 783-5048  
Fax: (717) 783-7152  
*00116999.docx*