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November 3, 2009

**VIA ELECTRONIC FILING**

James J. McNulty  
Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

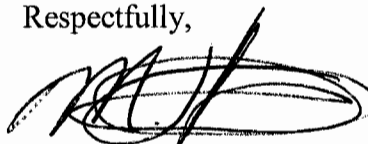
Re: **Petition of West Penn Power Company d/b/a Allegheny Power for Expedited Approval of its Smart Meter Technology Procurement and Installation Plan, Docket No. M-2009-2123951**

Dear Secretary McNulty:

Pursuant to 52 Pa. Code § 5.412, enclosed for filing is the Certificate of Service for the letter indicating that Constellation NewEnergy, Inc. and Constellation Energy Commodities Group, Inc. will not be submitting Surrebuttal Testimony in the above-captioned proceeding.

If you have any questions, please contact me.

Respectfully,



Melanie J. Tambolas

MJT/dc  
Enclosure

**CERTIFICATE OF SERVICE**

I hereby certify that this day I have served a true copy of the foregoing Letter of Constellation Energy Commodities Group, Inc. and Constellation NewEnergy, Inc. upon the persons listed below in the manner indicated in accordance with the requirements of 52 Pa. Code § 1.54.

**VIA E-MAIL AND FIRST CLASS MAIL**

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*Counsel to Constellation NewEnergy, Inc. and  
Constellation Energy Commodities Group, Inc.*

Dated: November 3, 2009