# PENNSYLVANIA

**PUBLIC UTILITY COMMISSION**

**Harrisburg, PA 17105-3265**

Public Meeting held November 19, 2009

Commissioners Present:

James H. Cawley, Chairman

Tyrone J. Christy, Vice Chairman

Robert F. Powelson

Kim Pizzingrilli

Wayne E. Gardner

Petition of West Penn Power Company Docket No. M-2009-2093218

d/b/a Allegheny Power for Approval

of its Energy Efficiency and Conservation

Plan, Approval of Recovery of its Costs

through a Reconcilable Adjustment Clause

and Approval of Matters Relating to the

Energy Efficiency and Conservation Plan

**OPINION AND ORDER**

**BY THE COMMISSION:**

Before the Commission for consideration and disposition is the Petition for Reconsideration (Petition), filed by the Office of Small Business Advocate (OSBA) on November 9, 2009, seeking reconsideration of the Opinion and Order entered October 23, 2009, relative to the above-captioned proceedings.

Pursuant to Rule 1701 of the Pennsylvania Rules of Appellate Procedure, Pa. R.A.P. Rule 1701, the Commission must act to grant a petition for reconsideration within thirty days of the date of entry of the order for which reconsideration is sought, or otherwise lose jurisdiction to do so if a petition for review is timely filed. The thirty‑day period within which the Commission must act upon this Petition for Reconsideration in order to preserve jurisdiction is November 23, 2009. Accordingly, we shall grant reconsidera­tion, within the meaning of Pa. R.A.P. Rule 1701(b)(3), pending review of, and consideration on, the merits of the Petition.

The Parties are reminded that a Petition for Reconsideration does not act as a supersedeas. Consequently, the Parties are expected to comply with all directives set forth in the Opinion and Order entered October 23, 2009, unless and until the Commission directs otherwise; **THEREFORE,**

**IT IS ORDERED:** That the Petition for Reconsideration filed on November 9, 2009, by the Office of Small Business Advocate, is hereby granted, pending further review of, and consideration on, the merits.



**BY THE COMMISSION,**

James J. McNulty

Secretary

(SEAL)

ORDER ADOPTED: November 19, 2009

ORDER ENTERED: November 19, 2009