

PENNSYLVANIA UTILITY LAW PROJECT

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January 4, 2010

Via Electronic Filing (E-filing)

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

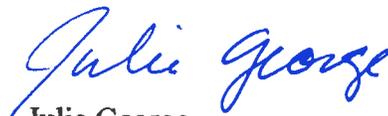
Re: Petition of West Penn Power Company d/b/a Allegheny Power for Expedited Approval of its Smart Meter Technology Procurement and Installation Plan Docket No. M-2009-2123951

Dear Secretary McNulty:

Enclosed for filing, please find the Answer of the Association of Community Organizations for Reform Now ("ACORN") in the above captioned proceeding.

Copies of this letter have been provided to all parties of record in the manner indicated on the enclosed Certificate of Service.

Very truly yours,



Julie George
Counsel for ACORN

Encl.

cc: Certificate of Service
The Honorable Mark A. Hoyer

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Dated: January 4, 2010

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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

**ANSWER OF THE ASSOCIATION OF COMMUNITY
ORGANIZATIONS FOR REFORM NOW (“ACORN”)**

West Penn Power d/b/a Allegheny Power (“Allegheny or Company”) filed with the Pennsylvania Public Utility Commission (“Commission”) on December 18, 2009 a Petition to Modify a Prior Commission Order and to Reopen the Evidentiary Record (“Petition”). The Company requests that the Commission reopen the record for the introduction of “limited additional evidence.” Petition at 1. The Company makes this request in an effort to narrow the differences between parties and as a result of the Company’s better understanding of other parties’ positions through the settlement process. *Id.* at 3. In addition to the submission of new evidence, the Company petitions the Commission to modify the procedural schedule. *Id.* at 8-9.

The Association of Community Organizations for Reform Now (“ACORN”) supports the Company’s proposal to reopen the record in an effort to narrow the gap between the positions of the Company and the other parties. ACORN welcomes the proposed changes by the Company as they would appear to be intended to reduce the cost

impact of the Company's Smart Meter Procurement and Installation Plan ("SMIP") on customers. However, ACORN is concerned the procedural schedule proposed by the Company is too abbreviated. The Company's proposals need to be evaluated properly by all of the parties, which will require more time than the 17 days allotted by the Company's proposed schedule. Petition at 8. ACORN recommends the Commission return this matter to the ALJ who can then establish an appropriate procedural schedule in consultation with the parties.

WHEREFORE, ACORN supports the Company's Petition to Modify a Prior Commission Order and to Reopen the Evidentiary Record and extend the due date for the ALJ's Recommended Decision. However, ACORN respectfully requests the Commission allow the ALJ to establish a more extended period of time for the review of the Company's proposed changes to its Smart Meter Procurement and Implementation Plan.

Respectfully submitted,



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