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February 16, 2010

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

RE: Petition of PECO Energy Company for Approval  
of its Smart Meter Technology Procurement and Installation Plan  
PUC Docket No. M-2009-2123944

Dear Secretary McNulty:

Please be advised that the Commonwealth of Pennsylvania, Department of Environmental Protection will not be filing exceptions to the Recommended Decision of Administrative Law Judge Marlane R. Chestnut in the above-captioned matter. Copies have been served on all parties listed on the enclosed Certificate of Service.

Sincerely,

*/s/ Kurt E. Klapkowski*

Kurt E. Klapkowski  
Assistant Counsel

cc: Service List

**BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Petition of PECO Energy Company** :  
**for Approval of its Smart Meter** : **Docket No. M-2009-2123944**  
**Technology Procurement and** :  
**Installation Plan** :

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served a true copy of the foregoing correspondence on behalf of the Commonwealth of Pennsylvania, Department of Environmental Protection, 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 indicated upon the persons listed below:

VIA E-MAIL AND FIRST CLASS MAIL

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Respectfully submitted,

*/s/ Kurt E. Klapkowski*

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Dated: February 16, 2010