**PENNSYLVANIA**

**PUBLIC UTILITY COMMISSION**

**Harrisburg, PA. 17105-3265**

Public Meeting held March 25, 2010

Commissioners Present:

James H. Cawley, Chairman

Tyrone J. Christy, Vice Chairman

Wayne E. Gardner

Robert F. Powelson

Request for Approval of Appointment of Docket No. M-00031715 F0003

Pamela C. Polacek, Esq. to the Board of

Directors of the PPL Sustainable Energy

Fund of Central Eastern Pennsylvania

**ORDER**

**BY THE COMMISSION:**

Before the Commission is a letter petition of the PPL Sustainable Energy

Fund of Central Eastern Pennsylvania (“SEF”) filed on October 30, 2009 for approval of two individuals to its Board of Directors. This approval is required under the PPL Company restructuring settlement, *Application of Pennsylvania Power & Light Company for Approval of its Restructuring Plan Under Section 2806 of the Public Utility Code, et al, Docket No. R-00973954* (Opinion and Order entered August 27, 1998). Commission approval of the proposed directors is also required by SEF’s governing bylaws, *PP&L Inc. Sustainable Energy Fund By-laws, Docket No. R-00973954* (Order entered June 2, 2000).

There currently exist two vacancies on the SEF Board.

The SEF unanimously voted to approve two new members at its Board meeting of October 28, 2009. The two members are: Pamela C. Polacek, Esq. and Kenneth L. Mickens, Esq. Pursuant to a Secretarial Letter dated March 3, 2010, the Board reviewed the American Bar Association’s Formal Opinion 98-410. After reviewing the issues raised by the ABA Formal Opinion, the Board continued to recommend the approval of both Pamela Polacek and Kenneth Mickens.

SEF’s Board and staff, in conjunction with its consultant, Menapace Business Consulting, conducted a lengthy search process for qualified board members. In all cases, the search process was conducted in conformity to SEF’s bylaws, as amended, and as approved by the Commission. An initial pool of twenty-four applicants were interviewed and ranked by its consultant before being narrowed to five candidates who were interviewed by the Board.

Pamela C. Polacek has almost fifteen years experience with McNees Wallace & Nurick, LLC practicing in the areas of electric, natural gas, and other energy product regulation, litigation, negotiation and business counseling. Ms. Polacek is involved with many local and regional organizations, including the Channels Food Rescue and Dauphin Country Bar Association, on whose Boards of Directors she has served. Ms. Polacek graduated from the Duke University School of Law with a Juris Doctorate.

Kenneth L. Mickens has twenty-five years experience in public utility litigation. Most recently, Mr. Mickens served as Senior Prosecutor for the Pennsylvania Public Utility Commission’s Office of Trial Staff. Mr. Mickens utilizes his experience in the energy sector to instruct other attorneys in electric issues for the Pennsylvania Bar Institute. Mr. Mickens graduated from the University of Michigan with a Juris Doctorate.

Based on a review of all relevant information, we find that these nominees are well-qualified to serve on the SEF’s Board of Directors and are thereby approved;

**THEREFORE**,

**IT IS ORDERED:**

1. That the nominations of Pamela C. Polacek, Esq. and Kenneth L. Mickens, Esq. to the PPL Sustainable Energy Fund are approved.

2. That a copy of this order be served on the PPL Sustainable Energy Fund, Pamela Polacek and Kenneth Mickens.



BY THE COMMISSION,

James J. McNulty,

Secretary

(SEAL)

ORDER ADOPTED: March 25, 2010

ORDER ENTERED: March 29, 2010