|  |  |  |
| --- | --- | --- |
| PUC logo | COMMONWEALTH OF PENNSYLVANIA  PENNSYLVANIA PUBLIC UTILITY COMMISSION  P.O. BOX 3265, HARRISBURG, PA 17105-3265 | **IN REPLY PLEASE REFER TO OUR FILE**  M-2009-2093218 |

November 4, 2010

TO ALL INTERESTED PARTIES:

Re: Petition of West Penn Power Company d/b/a Allegheny Power for Approval of its Energy Efficiency and Conservation Plan, Approval of Recovery of Costs Through a Reconcilable Adjustment Clause and Approval of Matters Relating to the Energy Efficiency and Conservation Plan

Docket No. M-2009-2093218

By Secretarial Letter dated June 24, 2010, at Docket No. M-2008-2069887, the Commission provided guidance to electric distribution companies regarding the annual reporting requirement for the energy efficiency and conservation (EE&C) plans established under Act 129. As stated in that letter, annual reports were to be submitted by September 15, 2010, and:

Any interested party can make a recommendation for plan improvements or object to proposed EE&C plan revisions within 30 days of the filing of the annual reports and proposed EE&C plan revision filings. Interested parties will have 20 days to file replies to any recommendations for plan improvements or objections to plan revisions, after which the Commission will determine whether to rule on the recommended changes or refer the matter to an ALJ for hearings and a recommended decision.

In this proceeding, the Office of Small Business Advocate explicitly requested hearings. In addition, both the Pennsylvania State University and the West Penn Power Industrial Intervenors requested that the Commission review and investigate the justness and reasonableness of certain aspects of the West Penn Power Company’s revised plan. The Commission hereby grants these requests and refers this matter to the Office of Administrative Law Judge (OALJ) for further proceedings.

The Commission recognizes the need to expediently resolve these issues, consistent with due process. OALJ is directed to proceed in this matter, such that the Administrative Law Judge can issue a Recommended Decision by December 20, 2010. Exceptions will be due not later than January 5, 2011. Reply Exceptions will not be accepted. The Commission will thereafter consider the matter at a public meeting.

Any Party having questions about this matter may contact Jonathan Nase in the Office of Special Assistants at (717) 787-3490 or [jnase@state.pa.us](mailto:jnase@state.pa.us).



Sincerely,

Rosemary Chiavetta Secretary