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November 4, 2010

VIA OVERNIGHT FEDERAL EXPRESS

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor
Harrisburg, PA 17120

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NOV 4 2010

**PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU**

Re: *Joint Petition for Consolidation of Proceedings and Approval of Energy Efficiency and Conservation Plans of Metropolitan Edison Company, Pennsylvania Electric Company and Pennsylvania Power Company Docket Nos. M-2009-2092222, M-2009-2112952, M-2009-2112956*

Dear Secretary Chiavetta:

Enclosed for filing are an original and four (4) copies of the Answer of Metropolitan Edison Company, Pennsylvania Electric Company and Pennsylvania Power Company (collectively, "the Companies") to the Petition to Intervene of the Pennsylvania Communities Organizing for Change ("PCOC"), in the above-captioned dockets.

Please date stamp the additional copy and return it to me in the enclosed, postage-prepaid envelope. Please contact me at the above phone number if you have any questions.

Very truly yours,



Bradley A. Bingaman

dln
Enclosures

c: As Per Certificate of Service

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**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

NOV 4 2010

**PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU**

Joint Petition for Consolidation of	:	
Proceedings and Approval of Energy	:	Docket Nos. M-2009-2092222
Efficiency and Conservation Plans of	:	M-2009-2112952
Metropolitan Edison Company,	:	M-2009-2112956
Pennsylvania Electric Company and	:	
Pennsylvania Power Company	:	

**METROPOLITAN EDISON COMPANY, PENNSYLVANIA ELECTRIC
COMPANY AND PENNSYLVANIA POWER COMPANY'S ANSWER TO THE
PETITION TO INTERVENE OF THE PENNSYLVANIA COMMUNITIES
ORGANIZING FOR CHANGE**

I. INTRODUCTION

Pursuant to Section 5.66 of the Pennsylvania Public Utility Commission's ("Commission") regulations, 52 Pa. Code §5.66, Metropolitan Edison Company ("Met-Ed"), Pennsylvania Electric Company ("Penelec") and Pennsylvania Power Company ("Penn Power") (collectively, "the Companies") answer the Petition to Intervene of Pennsylvania Communities Organizing for Change ("PCOC") in the above-captioned proceeding. PCOC's intervention in this proceeding is improper because it has failed to comply with the Commission's regulations regarding petitions to intervene at 52 Pa. Code §§ 5.71-5.74 and to demonstrate that it has standing to participate in this proceeding. In support of their Answer, the Companies state as follows.

1. Admitted.
2. Admitted.
3. Admitted that 66 Pa.C.S. §2806.1(b)(i)(G) contains, among other things, the language contained in Paragraph 3 of PCOC's Petition.

4. Admitted that the *Energy Efficiency and Conservation Program Implementation Order*, in Docket No. 2008-2069887 contains, among other things, the language contained in Paragraph 4 of PCOC's Petition.

5. Admitted.

6. The Companies admit that ACORN filed, on October 15, 2010, a Petition to Withdraw in Docket Nos. M-2009-2092222, M-2009-2112952, M-2009-2112956. The Companies deny that ACORN was the only intervener in this proceeding representing low income customers as the Pennsylvania Office of Consumer Advocate has intervened in this proceeding and advocated on behalf of the Companies' residential customers, including low income customers. Moreover, for that reason, the Companies' deny that ACORN's withdrawal will cause low-income households to be without an active advocate in this proceeding.

7. The Companies deny the averments contained in Paragraph 7 of PCOC's Petition because the Companies do not have sufficient information concerning PCOC. Moreover, PCOC has failed to demonstrate that it has an adequate interest in this proceeding, which is directly affected and which is not adequately represented by existing participants. *See* 52 Pa. Code. § 5.72(a). PCOC has also failed to list the persons and entities comprising of its group pursuant to Pa. Code. §5.73(b).

Based on the sparse facts contained in its Petition, PCOC has no interest, direct or otherwise, that can be affected by this proceeding. PCOC does not assert that it is a customer of the Companies. To the extent that PCOC purports to represent constituents that reside within the Companies' service territories and are customers of the Companies, such an assertion cannot be substantiated based on the bare representation made in the Petition. Consequently, there is no

factual basis on which PCOC can assert that its interests are or could be affected by the outcome of this proceeding and PCOC's Petition must be denied.

Lastly, the verification attached to the Petition does not support the averments contained therein. The verification was signed by the Executive Director of Action United. Nowhere in the Petition does it explain the relationship, if any, between Action United and PCOC. Thus, the verification is deficient, warranting denial of PCOC's Petition.

8. Denied. See Paragraph 6 above.

9. The Companies can neither admit nor deny PCOC's intentions. However, as described above, PCOC lacks standing to undertake the activities contained in Paragraph 9.

10. The Companies can neither admit nor deny the averments contained in Paragraph 10 of PCOC's Petition.

WHEREFORE, the Companies respectfully request that the Commission deny PCOC's intervention in the above-referenced proceeding.

Dated: November 4, 2010

Respectfully submitted,

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Efficiency and Conservation Plans of : **M-2009-2112952**
Metropolitan Edison Company, : **M-2009-2112956**
Pennsylvania Electric Company and :
Pennsylvania Power Company :

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true and correct copy of the foregoing document upon the individuals listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

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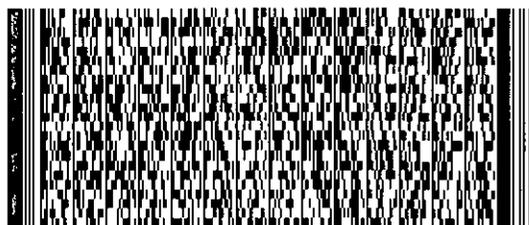
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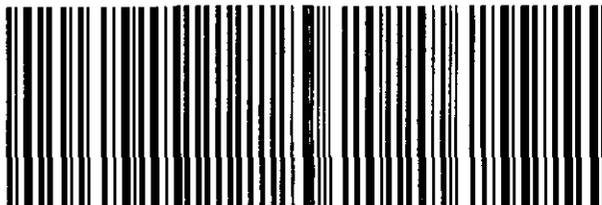


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