

August 12, 2011

**VIA FEDEX NEXT DAY**

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

**RECEIVED**

AUG 12 2011

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

**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; Contract with Energy Smart Products, LLC**

Dear Secretary Chiavetta:

Attached for review by the Commission is an additional component for the conservation service provider contract documentation between West Penn Power Company and Energy Smart Products, LLC, a conservation service provider registered with the Commission.

The contract was originally submitted to the Commission on July 13, 2011. On July 28, 2011, the Commission Counsel responded with four suggested changes, as follow:

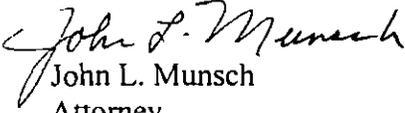
1. The CSP must be approved and registered by the Commission.
2. The CSP agrees to maintain registration with the Commission throughout the term of the contract.
3. Include a provision certifying that the proposed CSP is not an EDC affiliate.
4. Include a merger provision such that if the CSP should merge with a PA EDC during the term of the contract, then the CSP shall immediately notify you and provide for automatic termination of the contract in the event of such a merger.

The additional Energy Smart document was executed August 10, 2011. It is entitled "Re: Verification of Non Affiliation with a Pennsylvania Electric Distribution Co. for Allegheny Power Contract #4600003039," dated August 10, 2011, and it satisfies the Commission's four concerns.

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This filing is made by express delivery and is deemed filed today pursuant to 52 Pa. Code §1.11.

Respectfully submitted,

  
John L. Munsch  
Attorney

JLM:jss  
Enclosure

cc: Patty Wiedt, Esq., Law Bureau  
Wayne Williams, Bureau CEEP

Vendor Name Energy Smart Products, Inc.

Date 8/10/11

Contact Person Todd Quigley

RECEIVED

St Address 7850 Hailey Ct.

AUG 12 2011

City, St, Zip Caledonia, MI 49316

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

**Re: Verification of Non Affiliation with a Pennsylvania Electric Distribution Co. for Allegheny Power Contract # 460003039 (Revision 1)**

Act 129 defines a CSP as "an entity that provides information and technical assistance on measures to enable a person to increase energy efficiency or reduce energy consumption and that has no direct or indirect ownership, partnership or other affiliated interest with an electric distribution company." 66 Pa.C.S. § 2806.1(m). As the Commission and EDCs must be able to identify the type of entity a CSP is and confirm that it is not owned, partnered or affiliated with an EDC, the Commission requires all CSP's to provide the following information for contract approval.

Furthermore, CSP must be approved and registered by the Commission and agrees to maintain registration with the Commission throughout the term of the contract. By signing below, CSP confirms that they are not an EDC affiliate. If CSP should merge with a PA EDC during the term of the contract, then the CSP shall immediately notify Allegheny Power and provide for automatic termination of the contract in the event of such a merger.

Please provide the information below and return via e-mail or U.S. mail to Mary Shellhammer at [mshellh@alleghenypower.com](mailto:mshellh@alleghenypower.com) or Allegheny Power, Suite 200, 631 Excel Drive, Mount Pleasant, PA 15666.

1. Legal name of the applicant TODD PATRICK QUIGLEY

2. Principal place of business ENERGY SMART PRODUCTS

3. Names of parent and subsidiary companies and affiliates that are CSPs and EDCs

ENERGY SMART PRODUCTS

Signature: Todd Quigley

8/10/11

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Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commiss  
400 NORTH ST  
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HARRISBURG, PA 17120

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