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November 28, 2005

VIA FED EX

James McNulty, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, Second Floor
Harrisburg, PA 17120

**RE: Implementation of the Alternative Energy Portfolio Standards Act of 2004
Docket No. M-00051865**

Dear Secretary McNulty:

Enclosed is an original and fifteen copies of Exelon's Comments regarding the Pennsylvania Public Utility Commission's Tentative Order.

If additional information is needed about this matter, please contact me directly at 215-841-5974. Thank you for your assistance.

Sincerely,



Adrian D. Newall
Assistant General Counsel

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Enclosure

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Implementation of the Alternative Energy :
Portfolio Standards Act of 2004: Destination : **Docket No. M-00051865**
Of the Alternative Energy Credits Registry :

COMMENTS OF EXELON
REGARDING THE PENNSYLVANIA PUBLIC UTILITY COMMISSION'S
TENTATIVE ORDER

PECO Energy Company (“PECO”) and Exelon Generation Company, LLC (“ExGen”) (collectively, “Exelon”) hereby submit these comments with regard to the Pennsylvania Utility Commission’s (“Commission” or “PUC”) Tentative Order, entered on October 28, 2005, in the above-referenced proceeding (“Tentative Order”). The Commission is directed under the Alternative Energy Portfolio Standards Act of 2004 (“Act 213”) to develop an alternative energy credits registry in order that current information on the alternative energy market is readily available. 73 P.S. § 1648.3(e)(8). The Commission entered its Tentative Order in furtherance of its obligation.

1. INTRODUCTION

Exelon supports the Commission’s Tentative Order and its designation of PJM’s Environmental Information Services, Inc.’s Generation Attribute Tracking System (“GATS”) as the credit registry required by Act 213. GATS is a great starting point for registering and tracking alternative energy credits (“AECs”) created by alternative generation resources. However, the Commission should recognize that as the market evolves, the GATS system may require further refinement.

2. COMMENTS

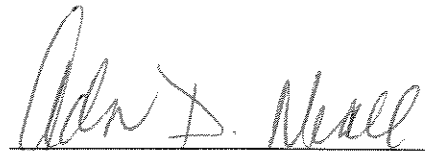
Exelon supports the Commission's determination that subscription fees and volumetric charges for electric distribution companies that subscribe to GATS are "indirect" costs of compliance and therefore recoverable. Exelon notes that there may be other just and reasonable costs that have yet to be identified that also must be recoverable.

There are several questions that are left unanswered by the Tentative Order. Will GATS track the non-Demand Side Response/Energy Efficiency Tier II resources? Will the system use the oldest credits first? Does the system age the credits? Is there a separate GATS for each jurisdiction? Will the program administrator confirm that only qualifying resources are being used from GATS? Will there be a market for credits outside of GATS or is GATS totally separate from the market? Exelon encourages the Commission to consider these issues as it continues its implementation of Act 213.

3. CONCLUSION

Exelon thanks the Commission for the opportunity to file comments on this important issue and looks forward to working with the interested parties as the market evolves.

Respectfully submitted,



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Dated: November 28, 2005