



Michael J. Dolan II
Vice President & CFO

March 10, 2006

Office of the Secretary
Pennsylvania Public Utility Commission
PO Box 3265
Harrisburg, PA 17105-3265

Re: Docket No. M-00051865 - Tentative Order 1/27/06

Dear Secretary McNulty,

I would like to submit comments on the issues addressed in the Public Meeting held January 27, 2006 and for the Tentative Order adopted on January 27, 2006 and subsequently published in the Pennsylvania Bulletin, on behalf of US Wind Force, LLC ("USWF"), a wind farm developer based in Wexford, PA and active in the Mid-Atlantic, with wind farm projects under development in Pennsylvania, as well as West Virginia and Maryland.

Regarding:

Discussion

F. 2. Geographic Requirement

We believe the Commission's discussion on this matter eloquently and accurately states the relevant issues in the matter of what Alternative Energy Sources shall be eligible to meet the compliance requirements of Act 213. We have also come to appreciate the complexity of the electricity industry, including the concepts of transmission "pools" and specific generator electricity deliverability, that the Legislature attempted to navigate through in crafting and passing Act 213 and that the PUC is attempting to navigate through in implementing Act 213. We have this appreciation because of our own involvement, in the legislative process that took place leading up to the passage of Act 213, including individual meetings with and attending committee hearings held by, PA State Representatives and Senators and representatives of other PA State Institutions (like the PUC & the DEP). It is for that reason that we believe we should offer our comment in support of the view the Commission mentions in its discussion as "(sometimes referred to as the MISO to MISO/PJM TO PJM)" that addresses the eligibility of facilities outside of Pennsylvania. We firmly believe it was the intention of the Legislator to legitimately (i.e. without conflicting with Interstate Commerce or unduly limiting the market of eligible Alternative Energy Sources so that it would have a material adverse impact on rate payers) limit the geographic eligibility of Alternative Energy Sources for the very reason the Commission notes in its discussion whereby ACT 213 allows compliance to be achieved through the purchase of RECs. The use of REC's is the only practical way for EDCs or EGSs to be able to demonstrate compliance.

The root cause of the geographic question is that RECs are defined and managed differently in different states. Pennsylvania has to define what an acceptable REC is for Pennsylvania. We believe the PA legislators passed Act 213 to benefit the citizens of PA through (not necessarily in order of importance):

- economic development,
- energy diversification,
- lower long-term energy costs

- improved National security and
- cleaner air

If RECs from as far away as Manitoba, Canada (which is part of MISO) can count toward compliance under Act 213, the lion's share of these intended benefits will not accrue to the citizens of PA, especially the clean air and economic development benefits. On the other hand, we believe the Legislators understood the circumstances of the MISO and NYISO footprints in the edges of the Commonwealth but, perhaps, did not choose to make the technical distinction on the issue of RTO versus ISO, but instead saw them as interchangeable terms. What we believe they saw was a need to allow for RECs to be used from those transmission pools because those transmission pools feed EDC's or EGS's electricity (meeting the presumption of deliverability, given the transmission "pool" concept, requirement noted in Act 213) in those limited service territories which are part of the Commonwealth.

That said, we just recently have become aware that the primary sponsors of the legislation (whom we have worked with as noted above) that became Act 213 have advised the Commission in a letter dated February 28, 2006 of their legislative intention. We are in complete agreement with their intent as noted in the above referenced letter. We hope the Commission will find this letter useful in clarifying the intentions of Act 213 in its implementation process.

We appreciate the work the Commission and its staff is doing in the organization and efficient administrative implementation of the Act and these opportunities for input and comment. We look forward to continuing our participation as a member of the AEPS Working Group and any opportunities to help the Commission and its staff in any way we can to accomplishing their goals in implementing the Act.

Sincerely,

Michael J. Dolan II
VP & CFO
US Wind Force, LLC