

COMMONWEALTH OF PENNSYLVANIA



OFFICE OF CONSUMER ADVOCATE

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Harrisburg, Pennsylvania 17101-1923  
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IRWINA. POPOWSKY  
Consumer Advocate

FAX (717) 783-7152  
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April 20, 2009

Paul R. Bonney  
Vice President and General Counsel  
Exelon Business Services Company  
2301 Market Street  
P.O. Box 8699  
Philadelphia, PA 19103-8699

Kevin J. McKeon, Esquire  
Hawke McKeon & Sniscak LLP  
100 North Tenth Street  
P. O. Box 1778  
Harrisburg, PA 17101

RE: Application of Exelon Corporation, Exelon Xchange Corporation and PECO Energy Company for Certificates of Public Convenience Evidencing Approval of the Transfer of Ultimate Control of NRG Energy Center Pittsburgh LLC and NRG Energy Center Harrisburg, LLC, Approval of the Related Affiliated Transactions, and All Other Approval or Certificates Appropriate, Customary or Necessary under the Public Utility Code to Carry Out the Transactions Described in the Application

Docket Nos. A-2009-2093057  
A-2009-2093058  
A-2009-2093059

Dear Messrs Bonney and McKeon:

Enclosed you will find two copies of the Office of Consumer Advocate's Interrogatories, Set II, in the above-referenced proceeding.

In accordance with the Prehearing Conference held on April 9, 2009, we request that the Company provide verified answers to these inquiries within ten (10) days of service. Also, please forward the verified answers as they are completed, rather than waiting until the responses to the full set are completed. We would appreciate it if you would communicate any objections you may have to these interrogatories as soon as possible.

Messrs Bonney and McKeon  
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April 20, 2009

We also request that you send a copy of the answers directly to our consultant, as listed below:

Richard Hahn  
LaCapra Associates  
9th Floor  
One Washington Mall  
Boston, MA. 02108  
Telephone: 617-778-2467  
E-mail: rhahn@lacapra.com

If you have any questions, please call us. By copy of this letter, copies of these interrogatories have been served upon all parties. A certificate of service showing service of these interrogatories on all parties has been filed with Secretary McNulty of the Pennsylvania Public Utility Commission as required by 52 Pa. Code §5.341(b).

Respectfully Submitted,

  
Kennedy S. Johnson  
Assistant Consumer Advocate  
PA Attorney I.D. # 203098

Enclosures

cc: All parties of record

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BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application of Exelon Corporation, Exelon	:	
Xchange Corporation and PECO Energy	:	
Company for Certificates of Public	:	
Convenience Evidencing Approval of the	:	
Transfer of Ultimate Control of NRG Energy	:	Docket Nos. A-2009-2093057
Center Pittsburgh LLC and NRG Energy	:	A-2009-2093058
Center Harrisburg, LLC, Approval of the	:	A-2009-2093059
Related Affiliated Transactions, and All	:	
Other Approval or Certificates Appropriate,	:	
Customary or Necessary under the Public	:	
Utility Code to Carry Out the Transactions	:	
Described in the Application	:	

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INTERROGATORIES OF THE  
OFFICE OF CONSUMER ADVOCATE  
SET II

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Pursuant to 52 Pa. Code Section 5.341, the Office of Consumer Advocate hereby propounds the following Interrogatories to Exelon Corporation, Exelon Xchange Corporation and PECO Energy Company (Applicants) to be answered by those officers, employees, agents, or contractors who have knowledge of the requested facts and who are authorized to answer on behalf of the Company. Each interrogatory is to be verified by the responding witness in accordance with 52 Pa. Code §5.342(a)(6).

DATED: April 20, 2009

## Instructions

- 1) These interrogatories shall be construed as a continuing request. The Respondent is obliged to change, supplement and correct all answers to interrogatories to conform to available information, including such information as first becomes available to the Respondent after the answers hereto are filed.
- 2) Restate the interrogatory immediately preceding each response.
- 3) Identify the name, title, and business address of each person(s) providing each response.
- 4) Provide the date on which the response was created.
- 5) Divulge all information that is within the knowledge, possession, control, or custody of Respondent or may be reasonably ascertained thereby. The term “Exelon”, “PECO”, “Xchange” or “the Company,” or “you,” as used herein includes Exelon Corporation, Exelon Xchange Corporation and PECO Energy Company, its attorneys, agents, employees, contractors, or other representatives.
- 6) Provide a verification by the responsible witness that all facts contained in the response are true and correct to the best of the witnesses knowledge, information and belief.
- 7) As used herein the word “document” or “workpaper” includes, but is not limited to, the original and all copies in whatever form, stored or contained in or on whatever media or medium including computerized memory, magnetic, electronic, or optical media, regardless of origin and whether or not including additional writing thereon or attached thereto, and may consist of:
  - a) notations of any sort concerning conversations, telephone calls, meetings or other communications;
  - b) bulletins, transcripts, diaries, analyses, summaries, correspondence and enclosures, circulars, opinions, studies, investigations, questionnaires and surveys;
  - c) worksheets, and all drafts, preliminary versions, alterations, modifications, revisions, changes, amendments and written comments concerning the foregoing.

CERTIFICATE OF SERVICE

Application of Exelon Corporation, Exelon	:	
Xchange Corporation and PECO Energy	:	
Company for Certificates of Public	:	
Convenience Evidencing Approval of the	:	
Transfer of Ultimate Control of NRG Energy	:	Docket Nos. A-2009-2093057
Center Pittsburgh LLC and NRG Energy	:	A-2009-2093058
Center Harrisburg, LLC, Approval of the	:	A-2009-2093059
Related Affiliated Transactions, and All	:	
Other Approval or Certificates Appropriate,	:	
Customary or Necessary under the Public	:	
Utility Code to Carry Out the Transactions	:	
Described in the Application	:	

I hereby certify that I have this day served a true copy of the foregoing document, the Office of Consumer Advocate's Interrogatories Set II directed to the Applicants, upon parties of record in this proceeding in accordance with the requirements of 52 Pa. Code Section 1.54 (relating to service by a participant), in the manner and upon the persons listed below:

Dated this 20<sup>th</sup> day of April 2009.

SERVICE BY E-MAIL and INTEROFFICE MAIL

Richard A. Kanaskie, Esquire  
Office of Trial Staff  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
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Harrisburg, PA 17120

SERVICE BY E-MAIL and FIRST CLASS MAIL

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