

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of PPL Electric Utilities	:	
Corporation Requesting Approval of a	:	
Voluntary Purchase of Accounts	:	
Receivables Program and Merchant	:	
Function Charge	:	
	:	Docket No. P-2009-2129502

**PETITION TO INTERVENE OF
CONSTELLATION NEWENERGY, INC.**

Pursuant to 52 Pa. Code §§ 5.71-5.76, Constellation NewEnergy, Inc. (“Constellation”), by and through its undersigned counsel, hereby files this Petition to Intervene in the above-captioned proceeding. In support of this Petition, Constellation states the following:

1. The principal place of business of Constellation is:

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2. The names and addresses of Constellation’s counsel in this matter are:

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Constellation’s attorneys are authorized to accept service on behalf of Constellation in this proceeding. Constellation requests that the Pennsylvania Public Utility Commission (the “Commission”) and all parties of record serve copies of all discovery requests and answers, correspondence, Commission Orders and any other documents issued to its attorneys and Constellation, at the addresses indicated above.

3. Consequent to the Commission’s ruling in the PPL Electric Utilities Corporation Retail Markets proceeding, Docket No. M-2009-2104271, on or about September 10, 2009, PPL Electric Utilities Corporation (“PPL”) filed a Petition requesting approval of a voluntary Purchase of Receivables (“POR”) program, and the imposition of a Merchant Function Charge (“MFC”).

4. Constellation filed Comments in the PPL Electric Utilities Corporation Retail Markets proceeding concerning its interest in fostering retail competition in the PPL territory and statewide, and to that end indicated support for the establishment of a POR program.

5. Constellation is an indirect, wholly-owned subsidiary of Constellation Energy Group, Inc., a FORTUNE 125 North American energy company with several merchant subsidiaries in addition to Constellation, including a Maryland-regulated utility subsidiary,

Baltimore Gas and Electric Company. Constellation has been granted market-based rate authority by the Federal Energy Regulatory Commission (“FERC”).


6. Constellation is authorized to provide electricity and energy-related services to retail customers in Pennsylvania and thirteen other states, the District of Columbia and two Canadian provinces, serving over 15,500 megawatts of load and over 10,000 customers. Constellation markets its services under the Constellation NewEnergy brand name. Constellation is a licensed Electric Generation Supplier in the Commonwealth of Pennsylvania, pursuant to 66 Pa.C.S. § 2809, and is a licensed, potential retail supplier to customers in the PPL service territory.

7. As a potential supplier of retail power and demand response services within the PPL territory, Constellation falls squarely within the test articulated for intervention in this proceeding: simply put, Constellation possesses “[a]n interest which may be directly affected and which is not adequately represented by existing participants, and as to which the petitioner may be bound by the action of the Commission in the proceeding.” Pa. Code § 5.72(a)(1).

8. The public interest demands that Constellation be afforded the opportunity to be heard in this proceeding. *See* Pa. Code § 5.72(a)(3).

WHEREFORE, for all the foregoing reasons, Constellation NewEnergy, Inc. respectfully requests that its Petition to Intervene be granted and that the Commission grant it such other relief as is just and reasonable under the circumstances.

Respectfully submitted,



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Counsel to Intervenor Constellation NewEnergy, Inc.

Dated: October 1, 2009

CERTIFICATE OF SERVICE

I hereby certify that this day I have served a true copy of the foregoing Petition to Intervene of Constellation NewEnergy, Inc. upon the persons listed below in the manner indicated in accordance with the requirements of 52 Pa. Code § 1.54.

VIA E-MAIL AND FIRST CLASS MAIL

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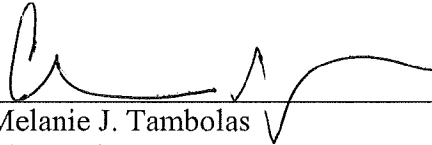
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