

COMMONWEALTH OF PENNSYLVANIA



OFFICE OF CONSUMER ADVOCATE

555 Walnut Street, 5th Floor, Forum Place
Harrisburg, Pennsylvania 17101-1923
(717) 783-5048
800-684-6560 (in PA only)

FAX (717) 783-7152
consumer@paoca.org

IRWINA. POPOWSKY
Consumer Advocate

October 7, 2009

Honorable Marlane R. Chestnut
Administrative Law Judge
Pennsylvania Public Utility Commission
801 Market Street, Suite 4063
Philadelphia, PA 19107

RE: Petition of PECO Energy Company for
Approval of its Smart Meter Technology
Procurement and Installation Plan
Docket No. M-2009-2123944

Dear Judge Chestnut:

Enclosed are the Direct Testimony of John G. Athas, OCA Statement No. 1; Thomas S. Catlin, OCA Statement No. 2; and Dr. Dale E. Swan, OCA Statement No. 3 on behalf of the Office of Consumer Advocate, in the above-referenced proceeding.

Copies have been served as indicated on the enclosed Certificate of Service.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Jennedy S. Johnson".

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

Enclosures

cc: James J. McNulty – Letter and Certificate Only

00118295.docx

CERTIFICATE OF SERVICE

Petition of PECO Energy Company for :
Approval of its Smart Meter Technology : Docket No. M-2009-2123944
Procurement and Installation Plan :

I hereby certify that I have this day served a true copy of the foregoing document, the Direct Testimony of John G. Athas, OCA Statement No. 1; Thomas S. Catlin, OCA Statement No. 2; and Dr. Dale E. Swan, OCA Statement No. 3 on behalf of the Office of Consumer Advocate, 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 2nd day of October 2009.

SERVICE BY E-MAIL and INTEROFFICE MAIL

Richard A. Kanaskie, Esquire
Carrie B. Wright, Esquire
Office of Trial Staff
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

SERVICE BY E-MAIL and FIRST CLASS MAIL

Romulo Diaz, Esquire
Anthony E. Gay, Esquire
Exelon Business Services Company
2301 Market Street, S23-1
P.O. Box 8699
Philadelphia, PA 19101-8699
Counsel for: *PECO Energy Company*

Thomas P. Gadsden, Esquire
Kenneth M. Kulak, Esquire
Anthony C. DeCusatis, Esquire
Morgan Lewis & Bockius LLP
1701 Market Street
Philadelphia, PA 19103-2921
Counsel for: *PECO Energy Company*

Charis Mincavage, Esquire
Barry A. Naum, Esquire
McNees Wallace & Nurick LLC
100 Pine Street
P.O. Box 1166
Harrisburg, PA 17108-1166
Counsel for: *Philadelphia Area Industrial Energy Users Group*

Scott Perry, Assistant Counsel
Aspassia V. Staevska, Assistant Counsel
Commonwealth of Pennsylvania
Department of Environmental Protection
RCSOB, 9th Floor
400 Market Street
Harrisburg, PA 17101-2301
Counsel for: *Department of Environmental Protection*

Daniel G. Asmus
Sharon E. Webb
Assistant Small Business Advocates
Office of Small Business Advocate
Commerce Building, Suite 1102
300 N. Second Street
Harrisburg, PA 17101
Counsel for: *Office of Small Business Advocate*

George Jugovic, Assistant Counsel
Commonwealth of Pennsylvania
Department of Environmental Protection
400 Waterfront Drive
Pittsburgh, PA 15222-4745
Counsel for: *Department of Environmental Protection*

Harry Geller, Esquire
John Gerhard, Esquire
Julie George, Esquire
Pennsylvania Utility Project
118 Locust Street
Harrisburg, PA 17101
Counsel for: *Association of Community Organizations for Reform Now*

Kenneth T. Kristl, Esquire
Widener Environmental and Natural Resources
Law Clinic
4601 Concord Pike
Wilmington, DE 19803
Counsel for: *Clean Air Council*

Christopher A. Lewis, Esquire
Christopher R. Sharp, esquire
Melanie J. Tambolas, Esquire
Blank Rome LLP
One Logan Square
Philadelphia, PA 19103
Counsel for: *Constellation NewEnergy, Inc.*
and Constellation Energy Commodities Group,
Inc.



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

E-Mail: jjohnson@paoca.org

Tanya J. McCloskey

Senior Assistant Consumer Advocate
PA Attorney I.D. # 50044

E-Mail: TMcCloskey@paoca.org

Counsel for
Office of Consumer Advocate
555 Walnut Street
5th Floor, Forum Place
Harrisburg, PA 17101-1923
Phone: (717) 783-5048
Fax: (717) 783-7152

00116940.docx