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October 27, 2009

VIA FIRST CLASS MAIL

The Honorable Marlane R. Chestnut
Pennsylvania Public Utility Commission
801 Market Street, 4th Floor
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**

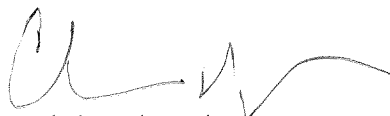
Dear Judge Chestnut:

Please be advised that Constellation NewEnergy, Inc. and Constellation Energy Commodities Group, Inc. will not be submitting Rebuttal Testimony in the above-referenced proceeding. Constellation reserves the right to participate in this proceeding in all other respects.

A copy of this letter is being served on all parties of record and has been filed with the Secretary pursuant to 52 Pa. Code § 5.412.

Do not hesitate to contact me with any questions about this material.

Respectfully,


Christopher Sharp

CS
Enclosure

cc: All parties on attached Certificate of Service

CERTIFICATE OF SERVICE

I hereby certify that this day I have served a true copy of the foregoing Letter 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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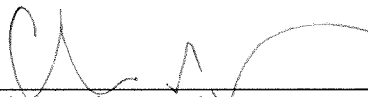
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Dated: October 27, 2009