

*Phone:* (215) 569-5794  
*Fax:* (215) 832-5794  
*Email:* [Sharp@Blankrome.com](mailto:Sharp@Blankrome.com)

November 6, 2009

**VIA FIRST CLASS MAIL**

The Honorable Marlane R. Chestnut  
Pennsylvania Public Utility Commission  
801 Market Street, 4th Floor  
Philadelphia, PA 19103

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

Dear Judge Chestnut:

Please be advised that Constellation NewEnergy, Inc. and Constellation Energy Commodities Group, Inc. will not be submitting Surrebuttal 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/scc  
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 on behalf of Constellation NewEnergy, Inc. and Constellation Energy Commodities Group, 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**

Romulo Diaz, Esquire  
Anthony E. Gay, Esquire  
Exelon Business Services Company  
2301 Market Street, S23-1  
P.O. Box 8699  
Philadelphia, PA 19101-8699  
215-841-4635  
215-568-3389 (fax)  
[anthony.gay@exeloncorp.com](mailto:anthony.gay@exeloncorp.com)  
[Romulo.diaz@exeloncorp.com](mailto:Romulo.diaz@exeloncorp.com)

Richard Kanaski, Esquire  
Carrie B. Wright, Esquire  
Office of Trial Staff  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265  
717-787-1976  
717-772-2677 (fax)  
[rkanaskie@state.pa.us](mailto:rkanaskie@state.pa.us)  
[carwright@state.pa.us](mailto:carwright@state.pa.us)

Daniel G. Asmus, Esquire  
Sharon E. Webb  
Office of Small Business Advocate  
Commerce Building, Suite 1102  
300 N. Second Street  
Harrisburg, PA 17101  
717-783-2525  
717-783-2831 (fax)  
[dasmus@state.pa.us](mailto:dasmus@state.pa.us)  
[swebb@state.pa.us](mailto:swebb@state.pa.us)

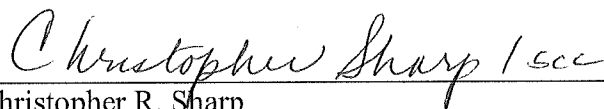
Kenneth T. Kristl, Esquire  
Widener Environmental and Natural Resources Law Clinic  
4601 Concord Pike  
Wilmington, DE 19801  
302-477-2053            302-477-2032 (fax)  
[ktkristl@widener.edu](mailto:ktkristl@widener.edu)  
(Clean Air Council)

Tanya McCloskey, Esquire  
Jennedy Johnson, Esquire  
Office of Consumer Advocate  
555 Walnut Street  
5<sup>th</sup> Floor, Forum Place  
Harrisburg, PA 17101  
717-783-5048  
717-783-7152 (fax)  
[tmccloskey@paoca.org](mailto:tmccloskey@paoca.org)  
[jjohnson@paoca.org](mailto:jjohnson@paoca.org)

Charis Mincavage, Esquire  
Barry A. Naum, Esquire  
McNees Wallace & Nurick LLC  
100 Pine Street  
P.O. Box 1166  
Harrisburg, PA 17108-1166  
717-237-5459  
717-260-1763 (fax)  
[cmincavage@mwn.com](mailto:cmincavage@mwn.com)  
[bnaum@mwn.com](mailto:bnaum@mwn.com)  
(Philadelphia Area Industrial Energy Users Group)

Scott Perry  
Aspassia V. Staevska  
George Jugovic, Esquire  
Pennsylvania Department of Environmental Protection  
Rachel Carson State Office Building, 9<sup>th</sup> Floor  
400 Market Street  
Harrisburg, PA 17101-2301  
[scperry@state.pa.us](mailto:scperry@state.pa.us)  
[astaevska@state.pa.us](mailto:astaevska@state.pa.us)  
[gjugovic@state.pa.us](mailto:gjugovic@state.pa.us)

Harry Geller  
John Gerhard  
Pennsylvania Utility Law Project  
118 Locust Street  
Harrisburg, PA 17101  
[hgellerpulp@palegalaid.net](mailto:hgellerpulp@palegalaid.net)  
[jgerhardpulp@palegalaid.net](mailto:jgerhardpulp@palegalaid.net)



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Christopher R. Sharp  
Blank Rome, LLP  
One Logan Square  
Philadelphia, PA 19103  
Telephone: (215) 569-5450  
Facsimile: (215) 832-5450  
[Tambolas@blankrome.com](mailto:Tambolas@blankrome.com)  
[Lewis@blankrome.com](mailto:Lewis@blankrome.com)  
[Sharp@blankrome.com](mailto:Sharp@blankrome.com)

*Counsel to Constellation NewEnergy, Inc. and  
Constellation Energy Commodities Group, Inc.*

Dated: November 6, 2009