

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

November 6, 2009

VIA FIRST CLASS MAIL

The Honorable Robert P. Meehan
Administrative Law Judge
Pittsburgh District Office
Pennsylvania Public Utility Commission
1103 State Office Building
300 Liberty Avenue
Pittsburgh, PA 15222

**Re: Petition of Duquesne Light Company for Approval of Smart Meter
Procurement and Installation Plan; Docket No. M-2009-2123948**


Dear Judge Meehan:

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/scc

Enclosures

cc: All parties on attached Certificate of Service (w/enclosures)

CERTIFICATE OF SERVICE

I hereby certify that this day I have served a 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

David T. Evrard, Esquire
Tanya J. McCloskey, Esquire
Office of Consumer Advocate
555 Walnut Street
5th Floor, Forum Place
Harrisburg, PA 17101-1923
(717) 783-5048
(717) 783-7152 (fax)
devrard@paoca.org
tmccloskey@paoca.org

Shelby A. Linton-Keddie, Esquire
Pamela C. Polacek, Esquire
Barry A. Naum, Esquire
McNees Wallace & Nurick LLC
100 Pine Street, P.O. Box 1166
Harrisburg, PA 17108-1166
(717) 232-8000
(717) 237-5300 (fax)
skeddie@mwn.com
ppolacek@mwn.com
bnaum@mwn.com

Charles Daniel Shields, Esquire
Adeolu A. Bakare, Esquire
Office of Trial Staff
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265
(717) 787-1976
(717) 772-2677
chshields@state.pa.us
abakare@state.pa.us

Gary A. Jack Esquire
Kelly L. Geer, Esquire
Duquesne Light Company
411 Seventh Avenue, 16-1
Pittsburgh, PA 15219
(412) 393-1541
(412) 393-1418 (fax)
kgcer@duqlight.com
gjack@duqlight.com

George Jugovic, Jr.
Assistant Counsel
Department of Environmental Protection
400 Waterfront Drive
Pittsburgh, PA 15222-4745
(412) 442-4262
(412) 442-4267 (fax)
gjugovic@state.pa.us

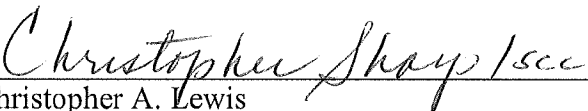
Scott Perry
Aspassia V. Staevska
Assistant Counsel
Department of Environmental Protection
RCSOB, 9th Floor
400 Market Street
Harrisburg, PA 17101-2301
(717) 787-7060
(717) 783-7911 (fax)
scperry@state.pa.us
astaevska@state.pa.us

Sharon E. Webb, Esquire
Office of Small Business Advocate
1102 Commerce Building
300 North Second Street
Harrisburg, PA 17101
(717) 783-2525
(717) 783-2831 (fax)
swebb@state.pa.us

Harry S. Geller, Esquire
John C. Gerhard, Esquire
Pennsylvania Utility Law Project
118 Locust Street
Harrisburg, PA 17101-1414
(717) 232-2719
(717) 233-4088 (fax)
hgellerpulp@palegalaid.net
igerhardpulp@palegalaid.net

Theodore S. Robinson, Esquire
Citizen Power
2121 Murray Avenue
Pittsburgh, PA 15217
(412) 421-7029
(412) 421-6162 (fax)
robinson@citizenpower.com

Robert D. Knecht
Industrial Economics Incorporated
2067 Massachusetts Avenue
Cambridge, MA 02140
(617) 354-0074
(617) 354-0463 (fax)
rdk@indecon.com



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

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

Dated: November 6, 2009