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December 16, 2009

**VIA ELECTRONIC FILING**

James J. McNulty  
Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

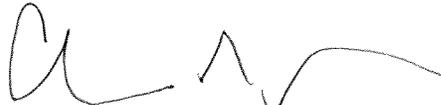
**Re: Petition of PECO Energy Company for Approval of its  
Revised Electric Purchase of Receivables Program  
Docket No. P-2009-2143607**

Dear Secretary McNulty:

Pursuant to 52 Pa. Code §§ 5.71-5.76, enclosed for filing is the Petition to Intervene of Constellation Energy Commodities Group, Inc. and Constellation NewEnergy, Inc. in the above-captioned proceeding. Copies have been served on all parties listed on the attached Certificate of Service.

If you have any questions, please contact me.

Respectfully,



Christopher R. Sharp

CRS/scc  
Enclosure

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Petition of PECO Energy Company for  
Approval of its Revised Electric  
Purchase of Receivables Program**

**Docket No. P-2009-2143607**

**PETITION TO INTERVENE OF  
CONSTELLATION NEWENERGY, INC. AND  
CONSTELLATION ENERGY COMMODITIES GROUP, INC.**

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

1. The principal place of business of CNE is:

111 Market Place, Suite 1200  
Baltimore, MD 21202

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Vice President, Energy Policy  
Director of Retail Energy Policy  
Constellation Energy  
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2. The names and addresses of Constellation's counsel in this matter are:

Christopher A. Lewis  
Christopher R. Sharp  
Melanie J. Tambolas  
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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 electronic copies of all discovery requests and answers, correspondence, Commission Orders and any other documents issued, to its attorneys and to Constellation. Constellation further requests that it not receive paper copies of documents served or filed in this matter, but that all such paper documents be directed to its undersigned attorneys.

3. On or about November 20, 2009, PECO Energy Company ("PECO") filed a Petition requesting expedited approval of a Purchase of Receivables ("POR") program, accompanied by supporting testimony.

4. CNE 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 CNE, including a Maryland-regulated utility subsidiary, Baltimore Gas and Electric Company. CNE has been granted market-based rate authority by the Federal Energy Regulatory Commission ("FERC").

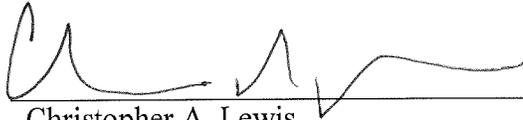
5. CNE is authorized to provide electricity and energy-related services to retail customers in Pennsylvania and thirteen other states, the District of Columbia and two Canadian provinces, serving over 15,500 megawatts of load and over 10,000 customers. CNE markets its services under the Constellation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

6. As a potential supplier of retail power and demand response services within the PECO 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).

7. 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 them such other relief as is just and reasonable under the circumstances.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Christopher A. Lewis', is written over a horizontal line.

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*Counsel to Intervenor Constellation NewEnergy, Inc.*

Dated: December 16, 2009

**CERTIFICATE OF SERVICE**

I hereby certify that this day I have served a true copy of the foregoing Petition to Intervene on behalf 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**

The Hon. Veronica Smith  
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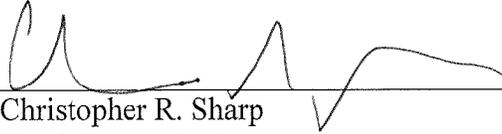
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