

PENNSYLVANIA UTILITY LAW PROJECT

118 LOCUST STREET
HARRISBURG, PA 17101-1414

JOHN C. GERHARD, ESQ.
JGERHARDPULP@PALEGALAID.NET

PHONE: (717) 236-9486, EXT. 201
FAX: (717) 233-4088
MOBILE: (717) 576-2588

March 2, 2010

Via E-Filing

Honorable Mark A. Hoyer
Administrative Law Judge
Pennsylvania Public Utility Commission
1103 Pittsburgh State Office Building
300 Liberty Avenue
Pittsburgh, PA 15222

**Re: Petition of West Penn Power d/b/a Allegheny Power for Expedited Approval
of its Smart Meter Technology Procurement and Installation Plan
Docket No. M-2009-2123951**

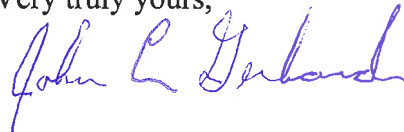
Dear Judge Hoyer:

Please be advised that the Pennsylvania Association of Community Organizations for Reform Now ("ACORN") will not be submitting Direct Testimony in the above captioned proceeding. ACORN respectfully reserves the right to file Rebuttal Testimony in response to issues raised in other parties' Direct Testimony.

Pursuant to Pa. Code § 5.412, copies of this letter have been filed with the Secretary and served on other parties as indicated by the attached Certificate of Service.

Please feel free to contact me directly should you have any questions.

Very truly yours,



John C. Gerhard
Counsel for ACORN

cc: Secretary James J. McNulty
Certificate of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Petition of West Penn Power d/b/a :
Allegheny Power for Expedited Approval :
of its Smart Meter Technology : Docket No. M-2009-2123951
Procurement and Installation Plan :**

CERTIFICATE OF SERVICE

I hereby certify that I have today served a true copy of the foregoing document, ACORN March 2, 2010 Letter Regarding Direct Testimony, upon the parties of record in this proceeding listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

Via Electronic Mail and First Class Mail

John L. Munsch, Esq.
West Penn Power Company
800 Cabin Hill Drive
Greensburg, PA 15601-7737
jmunsch@alleghenypower.com

Theodore S. Robinson, Esq.
Citizen Power
2121 Murray Avenue
Pittsburgh, PA 15217
Robinson@citizenpower.com

John F. Povilaitis, Esq.
Matthew A. Totino, Esq.
Ryan, Russell, Ogden & Seltzer
800 North Third Street
Suite 101
Harrisburg, PA 17102-2025
jpovilaitis@ryanrussell.com
mtotino@ryanrussell.com
Counsel for Allegheny Power

Richard A. Kanaskie, Esq.
Adeoulu Bakare, Esq.
Pennsylvania Public Utility Commission
Office of Trial Staff
Commonwealth Keystone Bldg.
400 North Street
Harrisburg, PA 17120
rkanaskie@state.pa.us
abakare@state.pa.us
Counsel for the Office of Trial Staff

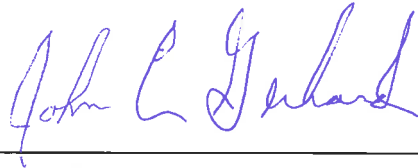
Lauren Lepkoski, Esq.
Office of the Small Business Advocate
Commerce, Bldg., Suite 1102
300 North 2nd Street
Harrisburg, PA 17101
llepkoski@state.pa.us

Christy M. Appleby, Esq.
Tanya J. McCloskey, Esq.
Office of the Consumer Advocate
555 Walnut Street
5th Floor, Forum Place
Harrisburg, PA 17101-1923
cappleby@paoca.org
tmccloskey@paoca.org

Barry A Naum, Esq.
Shelby Linton-Keddie, Esq.
McNees Wallace & Nurick, LLC
100 Pine Street
PO Box 1166
Harrisburg, PA 17108-1166
bnaum@mwn.com
skeddie@mwn.com

Christopher A. Lewis, Esq.
Christopher R. Sharp, Esq.
Melanie J. Tambolas, Esq.
Blank Rome LLP
One Logan Square
Philadelphia, PA 19103
lewis@blankrome.com
sharp@blankrome.com
tambolas@blankrome.com

Kurt E. Klapkowski, Esq.
Commonwealth of Pennsylvania
RCSOB, 9th floor
400 Market Street
Harrisburg, PA 17101
kklapkowski@state.pa.us



Harry S. Geller, Esquire
John C. Gerhard, Esquire
Julie George, Esquire
Pennsylvania Utility Law Project
118 Locust Street
Harrisburg, PA 17101
pulp@palegalaid.net
Counsel for ACORN

Dated: March 2, 2010