



SPILMAN THOMAS & BATTLE, PLLC

ATTORNEYS AT LAW

Derrick Price Williamson
Direct Dial (717) 795-2741
dwilliamson@spilmanlaw.com

June 14, 2010

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor
Harrisburg, PA 17120

Re: Joint Application of West Penn Power Company d/b/a Allegheny Power, Trans-Allegheny Interstate Line Company and FirstEnergy Corp. for a Certificate of Public Convenience under Section 1101(a)(3) of the Public Utility Code approving a change of control of West Penn Power Company and Trans-Allegheny Interstate Line Company; Docket Nos. A-2010-2176520; A-2010-2176732

Dear Secretary Chiavetta:

Please find enclosed for filing a Petition to Intervene on behalf of the Pennsylvania Mountains Healthcare Alliance ("PMHA") in the above-referenced matter. Additional copies of this document will be sent via First Class Mail. Please date-stamp the extra copy and kindly return for our filing purposes.

This document was filed electronically with the Commission on this date. All parties have been served a copy of this document in accordance with the enclosed Certificate of Service.

Please do not hesitate to contact me if you have any questions concerning this filing.

Sincerely,

SPILMAN THOMAS & BATTLE, PLLC

By

Derrick Price Williamson

DPW/lhi

Enclosures

c: Administrative Law Judge Wayne L. Weismandel (via Electronic Mail and First Class Mail)
Administrative Law Judge Mary D. Long (via Electronic Mail and Federal Express)
Certificate of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Joint Application of West Penn Power Company :
d/b/a Allegheny Power, Trans-Allegheny Interstate :
Line Company and FirstEnergy Corp. for a : Docket No. A-2010-2176520
Certificate of Public Convenience under Section : Docket No. A-2010-2176732
1102(a)(3) of the Public Utility Code approving :
A change in control of West Penn Power Company :
And Trans-Allegheny Interstate Line Company :

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing Petition to Intervene upon the following parties to this proceeding in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

VIA ELECTRONIC MAIL AND VIA FIRST CLASS MAIL

William R. Lloyd, Esq.
Office of Small Business Advocate
300 North Second Street
1102 Commerce Building
Harrisburg, PA 17101
willloyd@state.pa.us

Johnnie E. Simms, Esq.
Allison C. Kaster, Esq.
Carrie B. Wright, Esq.
Office of Trial Staff
PA Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265
josimms@state.pa.us
akaster@state.pa.us
carwright@state.pa.us

Irwin Popowsky, Esq.
Office of Consumer Advocate
5th Floor Forum Place
555 Walnut Street
Harrisburg, PA 17101-1923
spopowsky@paoca.org

Regina L. Matz, Esq.
Thomas T. Niesen, Esq.
Thomas, Long, Niesen & Kennard
P.O. Box 9500
Harrisburg, PA 17108-9500
rmatz@thomaslonglaw.com
tniesen@thomaslonglaw.com

Michael W. Gang, Esq.
Anthony D. Kanagy, Esq.
Post & Schell, P.C.
17 North Second Street
12th Floor
Harrisburg, PA 17101-1601
mgang@postschell.com
akanagy@postschell.com

Daniel P. Delaney, Esq.
George A. Bibikos, Esq.
K&L Gates, LLP
17 North Second Street
18th Floor
Harrisburg, PA 17101
dan.delaney@klgates.com
george.bibikos@klgates.com

Randall B. Palmer, Esq.
Jennifer L. Petrisek, Esq.
Allegheny Energy, Inc.
800 Cabin Hill Drive
Greensburg, PA 15601
rpalmer@alleghenyenergy.com
jpetrisek@alleghenyenergy.com

Thomas P. Gadsden, Esq.
Kenneth M. Kulak, Esq.
Anthony C. DeCusatis, Esq.
Morgan, Lewis & Bockius, LLP
1701 Market Street
Philadelphia, PA 19103-2921
tgadsden@morganlewis.com
kkulak@morganlewis.com
adecusatis@morganlewis.com


Scott J. Rubin, Esq.
333 Oak Lane
Bloomsburg, PA 17815
Scott.J.Rubin@gmail.com

Wendy E. Stark, Esq.
Bradley A. Bingaman, Esq.
FirstEnergy Service Company
2800 Pottsville Pike
P.O. Box 16001
Reading, PA 19612-6001
starkw@firstenergycorp.com
bingamanb@firstenergycorp.com

W. Edwin Ogden, Esq.
Alan Michael Seltzer, Esq.
Ryan, Russell, Ogden & Seltzer PC
Suite 210
1150 Berkshire Boulevard
Wyomissing, PA 19610-1208
eogden@ryanrussell.com
aseltzer@ryanrussell.com

Benjamin L. Willey, Esq.
Law Office of Benjamin L. Willey, LLC
7272 Wisconsin Avenue
Suite 300
Bethesda, MD 20814
blw@bwilleylaw.com

Gary A. Jack, Esq.
Kelly L. Geer, Esq.
Duquesne Light Company
411 Seventh Avenue, 16-4
Pittsburgh, PA 15219
gjack@duqlight.com
kgeer@duqlight.com



Derrick Price Williamson

Dated: June 14, 2010

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Joint Application of West Penn Power Company :
d/b/a Allegheny Power, Trans-Allegheny Interstate :
Line Company and FirstEnergy Corp. for a : Docket No. A-2010-2176520
Certificate of Public Convenience under Section : Docket No. A-2010-2176732
1102(a)(3) of the Public Utility Code approving :
A change in control of West Penn Power Company :
And Trans-Allegheny Interstate Line Company :

**PETITION TO INTERVENE
OF THE
PENNSYLVANIA MOUNTAINS HEALTHCARE ALLIANCE**

TO THE HONORABLE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

Pursuant to 52 Pa. Code Sections 5.71 through 5.74, the Pennsylvania Mountains Healthcare Alliance ("PMHA" or "Petitioner") hereby files this Petition to Intervene in the above-captioned proceeding. In support thereof, PMHA states as follows:

1. Petitioner is PMHA, which includes the hospitals listed on Appendix "A" to this Petition. Appendix "A" will be updated, as necessary, if the relevant composition of PMHA changes during the course of this proceeding.

2. The name and address of Petitioner's attorney are:

Derrick Price Williamson
SPILMAN, THOMAS & BATTLE, PLLC
1100 Bent Creek Boulevard, Suite 101
Mechanicsburg, PA 17050
Phone: (717) 795-2741
Fax: (717) 795-2743
dwilliamson@spilmanlaw.com

Counsel to PMHA consents to service of documents by electronic mail at the e-mail address above.

3. On May 18, West Penn Power Company d/b/a Allegheny Power ("West Penn"), Trans-Allegheny Interstate Line Company ("TrAILCo"), and FirstEnergy Corporation ("FirstEnergy") (collectively, the "Joint Applicants") filed with the Pennsylvania Public Utility Commission ("PUC" or "Commission") a Joint Application for approval of a change in control of West Penn and TrAILCo, and the merger of Allegheny Energy, Inc. ("Allegheny") (parent company of West Penn and TrAILCo), and FirstEnergy.

4. PMHA is a group of 19 hospitals in rural Pennsylvania whose mission is to enhance the ability of its member hospitals to provide patient centered, community-based care, while still maintaining their status as independent, community hospitals. Controlling costs is a key factor for members in fulfilling this mission. In that regard, PMHA members collectively consume approximately 150 million kWh in electricity on an annual basis, thus the cost of electricity is a major concern for PMHA. Of course, the reliability and quality of electric service for members is of truly critical importance.


5. PMHA members are located in the service territories of West Penn Power and the Pennsylvania Electric Distribution Company ("EDC") affiliates of FirstEnergy (Pennsylvania Electric Company ("Penelec") and Metropolitan Electric Company ("Met-Ed")). PMHA members receive electric service pursuant to various rate schedules, including West Penn Power's Schedule 30, and Met-Ed and Penelec Rates GS, GP, and H.

6. The Joint Application raises many issues of concern for PMHA. Among other things, the proposed merger may impact system reliability, customer service, and quality of service. Further, although the Joint Application calculates net "synergy savings" allocable to each EDC, the Joint Applicants make no specific commitment to credit retail rates to the potential benefit of PMHA members and other customers. The Joint Application also raises concerns regarding the market power impact of the proposed merger on the retail market for electric supply. PMHA intends to actively participate in this matter to address these and other relevant issues.

7. The proposed merger and resolution of the attendant issues may directly affect the interests of PMHA members. PMHA's interests are not adequately represented by existing participants in the case. Further, given that its members provide healthcare services throughout rural Pennsylvania, including the service territories of the Joint Applicants, PMHA's interests in this case are of such a nature that its participation is in the public interest. See 52 Pa. Code § 5.72(a)(2) & (3).

WHEREFORE, the Pennsylvania Mountains Healthcare Alliance respectfully requests that the Commission grant this Petition to Intervene and provide the Pennsylvania Mountains Healthcare Alliance with full party status in this proceeding.

Respectfully submitted,

By 
Derrick Price Williamson (I.D. No. #69274)
SPILMAN, THOMAS & BATTLE, PLLC
1100 Bent Creek Boulevard, Suite 101
Mechanicsburg, PA 17050
Phone: (717) 795-2741
Fax: (717) 795-2743
dwilliamson@spilmanlaw.com


Counsel to the Pennsylvania Mountains Healthcare Alliance

Dated: June 14, 2010

VERIFICATION

I, Derrick Price Williamson, Counsel to the Pennsylvania Mountains Healthcare Alliance, hereby state that the facts set forth in the foregoing Petition to Intervene are true and correct to the best of my knowledge, information, and belief. I understand that the statements made herein are made subject to 18 Pa.C.S. § 4904 (pertaining to unsworn falsification to authorities).

Date: June 14, 2010


Derrick Price Williamson

APPENDIX A
MEMBERS OF
THE PENNSYLVANIA MOUNTAINS HEALTHCARE ALLIANCE

Armstrong County Memorial Hospital
Bradford Regional Medical Center
Brookville Hospital
Charles Cole Memorial Hospital
Clarion Hospital
Clearfield Hospital
Elk Regional Health System
Fulton County Medical Center
Indiana Regional Medical Center
Jersey Shore Hospital
JC Blair Memorial Hospital
Laurel Health System
Memorial Hospital
Mount Nittany Medical Center
Nason Hospital
Punxsutawney Area Hospital
Titusville Area Hospital
Tyrone Hospital
Windber Medical Center