

Constellation Energy

September 13, 2010

VIA EXPRESS DELIVERY

Hon. Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
400 North Street
P.O. Box 3265
Harrisburg, PA 17105-03265

RECEIVED

SEP 13 2010

**PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU**

Re: Docket Nos. A-2010-2176520 and A-2010-2176732, 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 1102(a)(3) of the Public Utility Code Approving a Change of Control of West Penn Power Company And Trans-Allegheny Interstate Line Company

Dear Secretary Chiavetta:

Enclosed for filing in the above-docketed proceeding please find an original and three (3) copies of the *Certificate of Service* for the *September 13, 2010 Letter on Behalf of Intervenors Constellation NewEnergy, Inc. and Constellation Energy Commodities Group, Inc.* ("Constellation Letter"), in which the Constellation Intervenors indicate that they will not be filing rebuttal testimony in the above-docketed proceeding and that they reserve their right to file surrebuttal testimony.

Per the orders of the Administrative Law Judges ("ALJs"), two hard copies of the Constellation Letter have been sent via express mail to each ALJ's office, a copy has been sent to each of the parties on the service list, and all individuals have been sent an additional copy via e-mail.

Please do not hesitate to get in touch if you have any questions or concerns.

Sincerely,

Divesh Gupta, ID No. 307892
Senior Counsel
Constellation Energy
divesh.gupta@constellation.com

Enclosures (4)

**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 Certificate of Public
Convenience Under Section 1102(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 and
A-2010-2176732**

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**PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU**

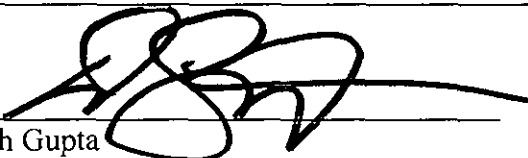
CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the *September 13, 2010 Letter on Behalf of Intervenor Constellation NewEnergy, Inc. and Constellation Energy Commodities Group, Inc.* upon the following parties to this proceeding in accordance with the requirements of 52 Pa. Code Sec. 1.54 (relating to service by a participant).

<p>HONORABLE WAYNE L. WEISMANDEL Office of Administrative Law Judge Pennsylvania Public Utility Commission Commonwealth Keystone Building, 2nd Floor 400 North Street Harrisburg, PA 17120</p>	<p>HONORABLE MARY D. LONG Office of Administrative Law Judge Pennsylvania Public Utility Commission Pratt Place, Room 220 301 Fifth Avenue Pittsburgh, PA 15222</p>
<p>ALAN MICHAEL SELTZER, ESQUIRE RYAN, RUSSELL, OGDEN & SELTZER PC SUITE 210 1150 BERKSHIRE BOULEVARD WYOMISSING PA 19610-1208 (for West Penn Power Company d/b/a Alleghany Power & Trans Allegheny Interstate Line Company)</p>	<p>THOMAS P. GADSDEN, ESQUIRE MORGAN, LEWIS & BOCKIUS 1701 MARKET STREET PHILADELPHIA PA 19103-2921 (for FirstEnergy Company)</p>
<p>ALLISON C KASTER CARRIE B. WRIGHT OFFICE OF TRIAL STAFF PENNSYLVANIA PUBLIC UTILITY COMMISSION PO BOX 3265 HARRISBURG PA 17105-3265 (for Office of Trial Staff)</p>	<p>TANYA J. MCCLOSKEY DARRYL LAWRENCE, ESQUIRE OFFICE OF CONSUMER ADVOCATE 555 WALNUT STREET 5TH FLOOR FORUM PLACE (for Office of Consumer Advocate)</p>

<p>DANIEL G AMUS, ESQUIRE OFFICE OF SMALL BUSINESS ADVOCATE 1102 COMMERCE BUILDING 300 NORTH SECOND STREET HARRISBURG PA 17101 (for Office of Small Business Advocate)</p>	<p>THEODORE ROBINSON, ESQUIRE CITIZEN POWER, INC 2121 MURRAY AVENUE PITTSBURGH, PA 15217 (for Citizens Power, Inc.)</p>
<p>REGINA L. MATZ, ESQUIRE THOMAS, LONG, NIESEN, & KENNARD 212 LOCUST STREET P.O. BOX 9500 HARRISBURG, PA 17108-9500 (for ARIPPA)</p>	<p>SUSAN E. BRUCE, ESQUIRE VASILIKI KARANDRIKAS CARL J. ZWICK MCNEES WALLACE & NURICK LLC 100 PINE STREET P.O. BOX 1166 HARRISBURG, PA 17108-1166 (for West Penn Power Industrial Interveners)</p>
<p>CHARIS MINICAVAGE, ESQUIRE VASILIKI KARANDRIKAS MCNEES WALLACE & NURICK LLC 100 PINE STREET P.O. BOX 1166 HARRISBURG, PA 17108-1166 (for Met-Ed Industrial Users Group and Penelec Industrial Customer Alliance)</p>	<p>KURT E. KLAPKOWSKI, ESQUIRE PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL PROTECTION OFFICE OF CHIEF COUNSEL RACHEL CARSON STATE OFFICE BUILDING P.O. BOX 8464 HARRISBURG, PA 17105-8464 (for Pennsylvania Department of Environmental Protection)</p>
<p>DANIEL CLEARFIELD DEANNE M. O'DELL CARL R. SHULTZ ECKERT SEAMANS CHERIN & MELLOTT, LLC 213 MARKET STREET, 8TH FLOOR P.O. BOX 1248 HARRISBURG, PA 17101 (for Direct Energy Services, LLC and Retail Energy Supply Association)</p>	<p>SCOTT J. RUBIN, ESQUIRE 333 OAK LANE BLOOMSBURG, PA 17815 (for International Brotherhood of Electrical Workers)</p>
<p>BENJAMIN L. WILLEY, ESQUIRE LAW OFFICES OF BENJAMIN L. WILLEY, LLC SUITE 300 7272 WISCONSIN AVENUE BETHESDA, MD 20814 (for York County Solid Waste and Refuse Authority)</p>	<p>MICHAEL W. GANG, ESQUIRE POST & SCHELL, P.C. 12TH FLOOR 17 NORTH SECOND STREET HARRISBURG, PA 17101-1601 (for Duquesne Light Company)</p>

<p>CHARLES E. THOMAS, ESQUIRE THOMAS, LONG, NIESEN & KENNARD 212 LOCUST STREET P.O. BOX 9500 HARRISBURG, PA 17108-9500 (for Pennsylvania Rural Electric Association)</p>	<p>THOMAS T. NIESEN, ESQUIRE THOMAS, LONG, NIESEN & KENNARD 212 LOCUST STREET P.O. BOX 9500 HARRISBURG, PA 17108-9500 (for West Penn Power Sustainable Energy Fund)</p>
<p>THOMAS J. SNISCAK, ESQUIRE HAWKE MCKEON & SNISCAK LLP P.O. BOX 1778 100 NORTH TENTH STREET HARRISBURG, PA 17101 (for The Pennsylvania State University)</p>	<p>DERRICK PRICE WILLIAMSON, ESQUIRE SPILMAN THOMAS & BATTLE, PLLC 1100 BENT CREEK BOULEVARD SUITE 101 MECHANICSBURG, PA 17050 (for Pennsylvania Mountains Healthcare Alliance)</p>
<p>SCOTT H. STRAUSS KATHARINE M. MAPES SPIEGEL & McDIARMID LLP 1333 NEW HAMPSHIRE AVENUE, NW WASHINGTON, DC 20036 (for Utility Workers Union of America, AFL-CIO and UWUA System Local No. 102.)</p>	<p>ERIC P. CHEUNG, ESQUIRE CLEAN AIR COUNCIL 135 SOUTH 19TH STREET, SUITE 300 PHILADELPHIA, PA 19103 (for Clean Air Council)</p>
<p>JOHN K. BAILLIE, ESQUIRE CITIZENS FOR PENNSYLVANIA'S FUTURE 425 SIXTH AVENUE, SUITE 2770 PITTSBURGH, PA 15219 (for Citizens for Pennsylvania's Future)</p>	<p>CHARLES MCPHEDRAN CITIZENS FOR PENNSYLVANIA'S FUTURE 1518 WALNUT STREET, SUITE 1100 PHILADELPHIA, PA 19102</p>
<p>STEPHEN H. JORDAN ROTHMAN GORDON P.C. THIRD FLOOR, GRANT BUILDING 310 GRANT STREET PITTSBURGH, MPA 15219</p>	<p>DAVID J. DULICK GENERAL COUNSEL PENNSYLVANIA RURAL ELECTRIC ASSOCIATION 212 LOCUST STREET PO BOX 1266 HARRISBURG, PA 17108-1266</p>
<p>GARY A. JACK KELLY L. GREET DUQUESNE LIGHT COMPANY 411 SEVENTH AVENUE, 16-4 PITTSBURGH, PA 15218</p>	


Divesh Gupta


Dated September 13, 2010

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