

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of Metropolitan Edison Company	:	
and Pennsylvania Electric Company	:	Docket Nos. P-2009-2093053 and
for Approval of their	:	P-2009-2093054
Default Service Program	:	
	:	
Retail Energy Supply Association	:	
Complainant	:	
v.	:	Docket Nos. C-2010-2178227 and
Metropolitan Edison Company and	:	C-2010-2178216
Pennsylvania Electric Company	:	
Respondents	:	

**THE YORK COUNTY SOLID WASTE AND REFUSE AUTHORITY'S
PETITION FOR LEAVE TO WITHDRAW PETITION TO INTERVENE**

Pursuant to Rules 5.94(a) of the Rules of Administrative Practice and Procedure of the Pennsylvania Public Utility Commission (the "Commission"), 52 Pa. Code §5.94(a), the York County Solid Waste and Refuse Authority ("YCSWA"), by counsel, respectfully submits this Petition for Leave to Withdraw the York County Solid Waste and Refuse Authority's Petition to Intervene ("Petition") in the above captioned matter.

In support of its Petition, the YCSWA states as follows.

1. On March 31, 2010, Metropolitan Edison Company ("MetEd") and Pennsylvania Electric Company ("PenElec")¹ filed with the Commission revised electric generation supplier coordination tariffs ("Supplier Tariffs") with an effective date of January 1, 2011.

2. The Supplier Tariffs were filed in compliance with the Joint Petition for Settlement ("Settlement") in the Companies' Default Service Program proceedings ("DSP

¹ MetEd and PenElec are from time-to-time referred to collectively herein as the "Companies."

Proceedings”).² The YCSWA was an active participant in the DSP Proceedings and a signatory to the Settlement in those proceedings.

3. On May 21, 2010, the Retail Energy Supply Association (“RESA”) filed a Complaint alleging that the Companies’ Supplier Tariffs were not proper compliance filings because the Supplier Tariffs included certain provisions and modifications that exceeded the scope of matters litigated in the DSP Proceedings or included in the Settlement in those proceedings.

4. On June 9, 2010, the YCSWA filed a Petition to Intervene, stating its belief that RESA’s Complaint raised concerns about the Supplier Tariffs filed by the Companies and about the Settlement to which the YCSWA is a signatory party in the Companies’ DSP Proceedings. YCSWA PETITION TO INTERVENE, ¶ 9.

5. As a result of discussions which resolved the differences between the parties, the Companies filed revised Supplier Tariffs on December 30, 2010, and on December 31, 2010, RESA filed a Petition to Withdraw its Complaints.

6. Based on the foregoing, the YCSWA (i) petitions the Commission for leave to withdraw its previously filed Petition to Intervene, and (ii) the YCSWA confirms, by this pleading, that it has no objection to the withdrawal of RESA’s Complaints.

7. This Petition is filed by the YCSWA without prejudice to the right of the YCSWA to initiate, intervene, protest, or take any other action deemed by the YCSWA to be in

² *Petition of Metropolitan Edison Company and Pennsylvania Electric Company for Approval of their Default Service Program* (PA PUC, Docket Nos. P-2009-2093053 and P-2009-2093054).

its best interests in the future in any proceedings in regard to the Companies' Supplier Tariffs or any revisions thereto.

THEREFORE, the YCSWA respectfully requests that this Petition for Leave to Withdraw be granted and that the Commission permit the YCSWA to withdraw its Petition to Intervene as previously filed in these proceedings.

Date: January 6, 2011

Respectfully submitted,



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