**PENNSYLVANIA**

**PUBLIC UTILITY COMMISSION**

**Harrisburg, PA. 17105-3265**

Public Meeting held January 27, 2011

Commissioners Present:

James H. Cawley, Chairman

Tyrone J. Christy, Vice Chairman

John F. Coleman, Jr.

Wayne E. Gardner

Robert F. Powelson

Letter/Petition for Approval of Board Member: M-00031715F0004

Metropolitan Edison Company/Pennsylvania

Electric Company Sustainable Energy Fund

**ORDER**

**BY THE COMMISSION:**

On September 23, 1998, at Docket No. R-00974008 and

R-00974009, the Commission approved the Joint Petitions for Full Settlement of the restructuring proceedings filed by Metropolitan Edison Company and the Pennsylvania Electric Company (Met Ed/Penelec) so as to comply with the requirements of the Electricity Generation Customer Choice and Competition Act, 66 Pa. C.S. §§2801-2812. Among the provisions of the approved settlement was the establishment of a Sustainable Energy Fund to promote (1) the development and use of renewable energy and clean energy technologies, (2) energy conservation and efficiency, and (3) renewable business initiatives and projects that improve the environment in the companies’ service territories.

On June 4, 1999, the Commission approved the Advisory Board. On January 27, 2000, the Commission approved the Bylaws for the Met Ed/Penelec Sustainable Energy Fund. The approval of the Bylaws allowed the fund to begin operations to promote the development of and use of renewable and clean energy technologies in Pennsylvania.

At the Board meeting of the Met Ed/Penelec Sustainable Energy Fund on November 19, 2010, the Board approved the nomination of Ms. Marybeth Smialek. Ms. Smialek is the Manager of Compliance & Human Services for FirstEnergy Corporation and would serve as the electric utility representative to the Advisory Board.

By letter/petition dated December 9, 2010, the Met Ed/Penelec Sustainable Energy Fund requested that the Commission approve the appointment of Ms. Smialek to succeed Mr. Charles (Chuck) Mowbray, who recently retired from FirstEnergy Corporation.

The Metropolitan Edison Company/Pennsylvania Electric Company Sustainable Energy Fund did not send out notice of the board vacancy or put notice of Board vacancy on their respective websites because slot is kept available for FirstEnergy Corporation’s utility representative.

Since the appointment fills the slot designated for an electric utility representative and was approved unanimously by the established Board, the Commission is of the opinion that the nomination is acceptable. In view of Ms. Smialek’s experience and position at FirstEnergy Corporation, we are satisfied that Ms. Smialek will be a valuable asset on the Board.

**THEREFORE**,

**IT IS ORDERED:**

1. That the nomination of Ms. Marybeth Smialek to the Advisory Board for the Metropolitan Edison Company/Pennsylvania Electric Company Sustainable Energy Fund is hereby approved.

2. That a copy of this Order be served on Ms. Marybeth Smialek, the Metropolitan Edison Company/Pennsylvania Electric Company Sustainable Energy Fund, the Office of Consumer Advocate and the Office of Small Business Advocate.

BY THE COMMISSION,

Rosemary Chiavetta,

Secretary

(SEAL)

ORDER ADOPTED: January 27, 2011

ORDER ENTERED: January 28, 2011