

Wendy E. Stark, Esq.  
(330) 761-4307  
(330) 384-3875 (Fax)

February 25, 2011

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

RECEIVED  
2011 FEB 25 AM 9:58  
PA PUC  
SECRETARY'S BUREAU

**Re: *Joint Application of West Penn Power Company doing business as 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, A-2010-2176732***

Dear Secretary Chiavetta:

West Penn Power Company, doing business as Allegheny Power, Trans-Allegheny Interstate Line Company and FirstEnergy Corp. (collectively "Joint Applicants") are in receipt of the Motions adopted at the Pennsylvania Public Utility Commission's ("Commission") Public Meeting on February 24, 2011, in the above-captioned matter. Moving Paragraph 2 of the Joint Motion of Commissioners Robert F. Powelson and John F. Coleman, Jr. requires that the Joint Applicants agree in writing to accept each and every condition set forth in the Joint Petition for Partial Settlement and the Joint Motion.

On behalf of the Joint Applicants, this letter accepts each and every condition set forth in the Joint Petition for Partial Settlement and the Joint Motion adopted on February 24, 2011. In addition, the Joint Applicants also accept the conditions set forth in the Motion of Commissioner Wayne E. Gardner adopted at the Public Meeting of February 24, 2011.

Please contact Wendy E. Stark at (330) 761-4307 with any questions regarding this matter.

February 25, 2011

Sincerely,

Wendy E. Stark (cmg)

Wendy E. Stark  
FirstEnergy Service Company  
76 S. Main Street  
Akron, OH 44308  
(330) 761-4307  
[starkw@firstenergycorp.com](mailto:starkw@firstenergycorp.com)

Randall B. Palmer (cmg)

Randall B. Palmer  
Allegheny Energy, Inc.  
800 Cabin Hill Drive  
Greensburg, PA 15601  
(724) 838-6894  
[rpalmer@alleghenyenergy.com](mailto:rpalmer@alleghenyenergy.com)

Counsel for FirstEnergy Corp.

Counsel for West Penn Power Company and  
Trans-Allegheny Interstate Line Company

- c: The Honorable Robert F. Powelson, Chairman (via personal delivery)  
The Honorable John F. Coleman, Jr., Vice Chairman (via personal delivery)  
The Honorable James H. Cawley, Commissioner (via personal delivery)  
The Honorable Tyrone Christie, Commissioner (via personal delivery)  
The Honorable Wayne E. Gardner, Commissioner (via personal delivery)  
The Honorable Mary D. Long, Administrative Law Judge (via email/first class mail)  
The Honorable Wayne L. Weismandel, Administrative Law Judge (via personal delivery)  
Cheryl Walker-Davis, Office of Special Assistants (via personal delivery)  
As Per Certificate of Service

RECEIVED  
2011 FEB 25 AM 9:59  
P/A PUC  
SECRETARY'S BUREAU

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

|  |   |                                   |
|--|---|-----------------------------------|
| <b>JOINT APPLICATION OF WEST PENN</b>        | : |                                   |
| <b>POWER COMPANY doing business as</b>       | : |                                   |
| <b>ALLEGHENY POWER, TRANS-</b>               | : |                                   |
| <b>ALLEGHENY INTERSTATE LINE</b>             | : |                                   |
| <b>COMPANY AND FIRSTENERGY CORP.</b>         | : |                                   |
| <b>FOR A CERTIFICATE OF PUBLIC</b>           | : | <b>DOCKET NOS. A-2010-2176520</b> |
| <b>CONVENIENCE UNDER SECTION</b>             | : | <b>A-2010-2176732</b>             |
| <b>1102(A)(3) OF THE PUBLIC UTILITY CODE</b> | : |                                   |
| <b>APPROVING A CHANGE OF CONTROL OF</b>      | : |                                   |
| <b>WEST PENN POWER COMPANY AND</b>           | : |                                   |
| <b>TRANS-ALLEGHENY INTERSTATE LINE</b>       | : |                                   |
| <b>COMPANY</b>                               | : |                                   |

**CERTIFICATE OF SERVICE**

I hereby certify and affirm that I have this day served a copy of the foregoing document on the following persons in the matter specified in accordance with the requirements of 52 Pa. Code § 1.54:

**VIA ELECTRONIC MAIL AND FIRST CLASS MAIL**

Daniel G. Asmus, Esquire  
William R. Lloyd, Jr.  
Assistant Small Business Advocate  
Office of Small Business Advocate  
Commerce Building, Suite 1102  
300 North Second Street  
Harrisburg, PA 17101  
[dasmus@state.pa.us](mailto:dasmus@state.pa.us)  
[willloyd@state.pa.us](mailto:willloyd@state.pa.us)

Tanya J. McCloskey  
Senior Assistant Consumer Advocate  
Darryl Lawrence  
Aron J. Beatty  
Assistant Consumer Advocates  
Pennsylvania Office of Consumer Advocate  
5th Floor, Forum Place  
555 Walnut Street  
Harrisburg, PA 17101-1923  
[tmccloskey@paoca.org](mailto:tmccloskey@paoca.org)  
[dlawrence@paoca.org](mailto:dlawrence@paoca.org)  
[abeatty@paoca.org](mailto:abeatty@paoca.org)  
[jhorner@paoca.org](mailto:jhorner@paoca.org)

Benjamin L. Willey  
Law Offices of Benjamin L. Willey, LLC  
7272 Wisconsin Avenue, Suite 300  
Bethesda, MD 20814  
[blw@bwilleylaw.com](mailto:blw@bwilleylaw.com)  
*Counsel for York County Solid Waste Authority*

Allison C. Kaster  
Carrie B. Wright  
Office of Trial Staff  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street  
Harrisburg, PA 17120  
[akaster@state.pa.us](mailto:akaster@state.pa.us)  
[carwright@state.pa.us](mailto:carwright@state.pa.us)

Regina L. Matz  
Thomas, Long, Niesen & Kennard  
P.O. Box 9500  
212 Locust Street, Suite 500  
Harrisburg, PA 17108-9500  
[rmatz@thomaslonglaw.com](mailto:rmatz@thomaslonglaw.com)  
*Counsel for ARIPPA*

Scott J. Rubin  
333 Oak Lane  
Bloomsburg, PA 17815-2036  
[scott.j.rubin@gmail.com](mailto:scott.j.rubin@gmail.com)  
*Counsel for IBEW*

Theodore S. Robinson  
Staff Attorney  
Citizen Power  
2121 Murray Avenue  
Pittsburgh, PA 15217  
[robinson@citizenpower.com](mailto:robinson@citizenpower.com)  
*Counsel for Citizen Power, Inc.*

Divesh Gupta  
Senior Counsel  
Constellation Energy  
111 Market Place, Suite 500  
Baltimore, MD 21202  
[divesh.gupta@constellation.com](mailto:divesh.gupta@constellation.com)  
*Counsel for Constellation*

Charles McPhedran  
John K. Baillie  
Citizens for Pennsylvania's Future  
1500 Walnut Street, Suite 502  
Philadelphia, PA 19102  
[mcphehran@pennfuture.org](mailto:mcphehran@pennfuture.org)  
[baillie@pennfuture.org](mailto:baillie@pennfuture.org)  
*Counsel for PennFuture*

Eric Paul Cheung  
Joseph Otis Minott  
Clean Air Council  
135 South 19th Street, Suite 300  
Philadelphia, PA 19103  
[echeung@cleanair.org](mailto:echeung@cleanair.org)  
[joe\\_minott@cleanair.org](mailto:joe_minott@cleanair.org)  
*Counsel for Clean Air Council*

Kurt E. Klappowski  
Jason Oyler  
Commonwealth of Pennsylvania  
Department of Environmental Protection  
RCSOB, 9th Floor  
400 Market Street  
Harrisburg, PA 17101-2301  
[kklappowsk@state.pa.us](mailto:kklappowsk@state.pa.us)  
[joyler@state.pa.us](mailto:joyler@state.pa.us)  
*Counsel for the Pennsylvania Department  
of Environmental Protection*

Daniel Clearfield  
Deanne M. O'Dell  
Carl R. Schultz  
Eckert Seamans Cherin & Mellott, LLC  
P.O. Box 1248  
213 Market Street, 8th Floor  
Harrisburg, PA 17101  
[dclearfield@eckertseamans.com](mailto:dclearfield@eckertseamans.com)  
[dodell@eckertseamans.com](mailto:dodell@eckertseamans.com)  
[cshultz@eckertseamans.com](mailto:cshultz@eckertseamans.com)  
*Counsel for Direct Energy Services, LLC  
& RESA*

Susan E. Bruce  
Vasiliki Karandrikas  
Carl J. Zwick  
McNees Wallace & Nurick LLC  
P.O. Box 1166  
100 Pine Street  
Harrisburg, PA 17108-1166  
[sbruce@mwn.com](mailto:sbruce@mwn.com)  
[vkandrikas@mwn.com](mailto:vkandrikas@mwn.com)  
[czwick@mwn.com](mailto:czwick@mwn.com)  
*Counsel for West Penn Power Industrial  
Intervenors*

Scott H. Strauss  
Katharine M. Mapes  
Spiegel & McDiarmid, LLP  
1333 New Hampshire Avenue, NW  
Hampshire Avenue, NW  
Washington, DC 20036  
[scott.strauss@spiegelmc.com](mailto:scott.strauss@spiegelmc.com)  
[katharine.mapes@spiegelmc.com](mailto:katharine.mapes@spiegelmc.com)  
*Counsel for Utility Workers Union of America,  
AFL-CIO and UWUA System Local No. 102*

Stephen H. Jordan  
Rothman Gordon P.C.  
Third Floor, Grant Building  
310 Grant Street  
Pittsburgh, PA 15219  
[shjordan@rothmangordon.com](mailto:shjordan@rothmangordon.com)  
*Counsel for Utility Workers Union of America,  
AFL-CIO and UWUA System Local No. 102*

Thomas J. Sniscak  
Todd S. Stewart  
William E. Lehman  
Hawke McKeon & Sniscak LLP  
P.O. Box 1778  
100 North Tenth Street  
Harrisburg, PA 17105  
[tjsniscak@hmslegal.com](mailto:tjsniscak@hmslegal.com)  
[tsstewart@hmslegal.com](mailto:tsstewart@hmslegal.com)  
[welehman@hmslegal.com](mailto:welehman@hmslegal.com)  
*Counsel for the Pennsylvania State University*

Charles E. Thomas, Jr.  
Thomas, Long, Niesen & Kennard  
P.O. Box 9500  
212 Locust Street, Suite 500  
Harrisburg, PA 17108-9500  
[cthomasjr@thomaslonglaw.com](mailto:cthomasjr@thomaslonglaw.com)  
*Counsel for Pennsylvania Rural Electric  
Association*

Charis Mincavage  
Vasiliki Karandrikas  
Carl J. Zwick  
McNees Wallace & Nurick LLC  
P.O. Box 1166  
100 Pine Street  
Harrisburg, PA 17108-1166  
[cmincavage@mwn.com](mailto:cmincavage@mwn.com)  
[vkandrikas@mwn.com](mailto:vkandrikas@mwn.com)  
[czwick@mwn.com](mailto:czwick@mwn.com)  
*Counsel for MEIUG/PICA*

David J. Dulick  
General Counsel  
Pennsylvania Rural Electric Association  
212 Locust Street  
P.O. Box 1266  
Harrisburg, PA 17108-1266  
[david\\_dulick@prea.com](mailto:david_dulick@prea.com)  
*Counsel for Pennsylvania Rural Electric  
Association*

Derrick Price Williamson  
Barry A. Naum  
Spilman, Thomas & Battle, PLLC  
1100 Bent Creek Boulevard, Suite 101  
Mechanicsburg, PA 17050  
[dwilliamson@spilmanlaw.com](mailto:dwilliamson@spilmanlaw.com)  
[bnaum@spilmanlaw.com](mailto:bnaum@spilmanlaw.com)  
*Counsel for Pennsylvania Mountains  
Healthcare Alliance*

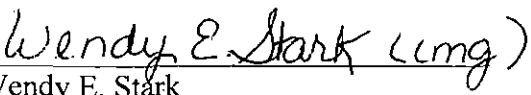
Sally Patton  
Law Offices of Benjamin L. Willey, LLC  
7272 Wisconsin Avenue, Suite 300  
Bethesda, MD 20814  
[ssp@bwilleylaw.com](mailto:ssp@bwilleylaw.com)

Thomas T. Niesen  
Thomas, Long, Niesen & Kennard  
P.O. Box 9500, Suite 500  
212 Locust Street  
Harrisburg, PA 17108  
[tniesen@thomaslonglaw.com](mailto:tniesen@thomaslonglaw.com)  
*Counsel for West Penn Power Sustainable  
Energy Fund*

Robert M. Strickler  
Griffith, Strickler, Lerman, Solymos  
& Calkins  
110 South Northern Way  
York, PA 17402-3737  
[rstrickler@gsisc.com](mailto:rstrickler@gsisc.com)  
*Counsel for YCSWA*

Dated: February 25, 2011

Michael D. Fiorentino  
42 East 2nd Street, Suite 200  
Media, PA 19063  
[mdfiorentino@gmail.com](mailto:mdfiorentino@gmail.com)  
*Counsel for Clean Air Council*

  
Wendy E. Stark  
Attorney No. 204753  
FirstEnergy Service Company  
76 S. Main Street  
Akron, OH 44308  
(330) 761-4307  
[starkw@firstenergycorp.com](mailto:starkw@firstenergycorp.com)

Counsel for:  
FirstEnergy Corp