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August 5, 2010

VIA FACSIMILE (215) 560-3133 AND REGULAR US MAIL

The Honorable Cynthia W. Fordham
Pennsylvania Public Utility Commission
801 Market Street, Suite 4063
Philadelphia, PA 19107

**Re: Penn Wynn, Inc. v. PECO Energy Company
Pennsylvania Public Utility Commission #C-2009-2132248
Our File Number: 16069-3**


Dear Judge Fordham:

Enclosed herewith please find the Complainant, Penn Wynn, Inc.'s Petition to Withdraw Complaint With Prejudice in the above.

Thank you.

Respectfully,

LAMM RUBENSTONE LLC

By: 
Brian H. Smith, Esquire

BHS/sms

cc: Tishekia E. Williams, Esquire (w. enc.)
Pennsylvania Public Utility Commission Scheduling Office (w. enc.)
Robert Dubin, Esquire (w. enc.)

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AUG 06 2010

Public Utility Commission
Philadelphia Office
Administrative Law Judge

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DEC 30 2011

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

LAMM RUBENSTONE LLC
By: Brian H. Smith, Esq.
PA Attorney I.D. No. 65627
3600 Horizon Boulevard, Ste. 200
Trevose, PA 19053
(215) 638-9330

Attorneys for Penn Wynn, Inc.

PENN WYNN, INC.	:	PENNSYLVANIA PUBLIC
Complainant	:	UTILITY COMMISSION
v.	:	
	:	NO. C-2009-2132248
PECO ENERGY COMPANY	:	
Respondent	:	

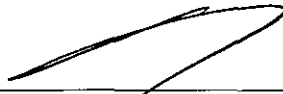
PETITION TO WITHDRAW COMPLAINT, WITH PREJUDICE

NOW COMES Complainant, Penn Wynn, Inc., by and through its undersigned counsel, and files the instant Petition to Withdraw Complaint, with Prejudice, pursuant to 52 Pa. Code §5.94(a), in the instant matter, and in support thereof, states the following:

1. The instant proceeding was commenced by the filing of Complainant's Complaint against Respondent, PECO Energy Company.
2. Complainant and Respondent have now reached a settlement in this matter, and, as part of such settlement, have agreed that Complainant shall withdraw its Complaint, with prejudice.

WHEREFORE, Complainant respectfully requests that its Petition to Withdraw Complaint, with Prejudice be granted, and that Complainant be granted leave to withdraw its Complaint in this matter, with prejudice.

LAMM RUBENSTONE LLC

By: 
Brian H. Smith, Esquire
Attorney I.D. No.: 65627
3600 Horizon Blvd., Ste. 200
Trevose, PA 19053
(215) 638-9330

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VERIFICATION

I, Brian H. Smith, Esquire, attorney for Complainant, Penn Wynn, Inc., herein state, on behalf of Complainant, that the facts set forth in the foregoing Petition to Withdraw Complaint, with Prejudice are true and correct to the best of my knowledge, information and belief.

The undersigned understands that the statements therein are made subject to the penalties of 18 Pa. C.S.A. §4904 relating to unsworn falsification to authorities.

LAMM RUBENSTONE LLC

By: _____


Brian H. Smith, Esquire

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

LAMM RUBENSTONE LLC
By: Brian H. Smith, Esq.
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Attorneys for Penn Wynn, Inc.

PENN WYNN, INC. : PENNSYLVANIA PUBLIC
Complainant : UTILITY COMMISSION
v. :
: NO. C-2009-2132248
PECO ENERGY COMPANY :
Respondent :

CERTIFICATE OF SERVICE

I, Brian H. Smith, Esquire, do hereby certify that on the date listed below, I served copies of Complainant, Penn Wynn, Inc.'s Petition to Withdraw Complaint, with Prejudice upon the following persons as follows:

Tishekia E. Williams, Esquire
2301 Market St., S23-1
PO Box 8699
Philadelphia, PA 19101-8699
(via first-class US mail, postage prepaid)

The Honorable Cynthia W. Fordham
Pennsylvania Public Utility Commission
801 Market Street, Suite 4063
Philadelphia, PA 19107
(via first class US mail, postage prepaid, and facsimile (215) 560-3133)

Pennsylvania Public Utility Commission
Scheduling Office
PO Box 3265
Harrisburg, PA 17105-3265
(via first-class US mail, postage prepaid)

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

LAMM RUBENSTONE LLC

Date: 8/25/10

By: 

Brian H. Smith, Esquire