

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**  
**Harrisburg, Pennsylvania 17105-3265**

**Pennsylvania Public Utility  
Commission Law Bureau Prosecutory  
Staff v. Metropolitan Edison  
Company, Pennsylvania Electric  
Company and Pennsylvania Power  
Company d/b/a First Energy**

**Public Meeting – August 6, 2009  
2112849-OSA  
Docket No. M-2009-2112849**

**MOTION OF VICE CHAIRMAN TYRONE J. CHRISTY**

Before the Commission for consideration is a Settlement Agreement (Settlement) filed on June 10, 2009, by Metropolitan Edison Company, Pennsylvania Electric Company and Pennsylvania Power Company d/b/a First Energy (First Energy), and the Commission's Law Bureau Prosecutory Staff (Prosecutory Staff). The Settlement, among other things, requires First Energy to pay a \$50,000 civil penalty, to make a \$150,000 contribution to the Dollar Energy Fund in January 2010, to provide funds in the middle of the winter heating system when the need for assistance is particularly high and funds are low (First Energy agrees that these funds may be applied to the accounts of any eligible customer), and to make restitution adjustments ranging between \$50 and \$200 to affected customer's bills. First Energy will not seek recovery of any of these monies in any future rate proceeding.

I believe the \$50,000 payment provided for in the Settlement could be better utilized by directing \$25,000 to the Dollar Energy Fund and \$25,000 to First Energy's LIURP program. In these increasingly tough economic times I believe directing \$50,000 to these programs would be a better use of these funds. The \$50,000 shall be in addition to any support already committed to Dollar Energy and LIURP through utility and shareholder contributions. First Energy's payment to the Dollar Energy Fund shall be contingent upon Dollar Energy agreeing to use these funds to assist First Energy's customers.<sup>1</sup>

The \$50,000 shall be in addition to any support already committed to the Dollar Energy Fund through utility and shareholder contributions.

**THEREFORE I MOVE:**

1. That the Office of Special Assistants prepare an Opinion and Order consistent with this Motion.

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<sup>1</sup> The contingency restricting the use of funds to First Energy's customers should apply to the \$150,000 payment to Dollar Energy that is provided for in the Settlement.

2. That the Opinion and Order be issued for comment so as to afford any interested party an opportunity to comment within twenty (20) days of the date of entry of the Opinion and Order.

3. That a copy of the Opinion and Order be served on the parties to the proceeding, the Office of Consumer Advocate and the Office of Small Business Advocate.

4. That, subsequent to the Commission's review of the comments filed in this proceeding, a final Opinion and Order shall be issued.

8-6-09

DATE

Tyrone J. Christy  
TYRONE J. CHRISTY, VICE CHAIRMAN