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July 30, 2009

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VIA E-FILING

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
400 North Street, 2<sup>nd</sup> Floor  
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Harrisburg, PA 17120

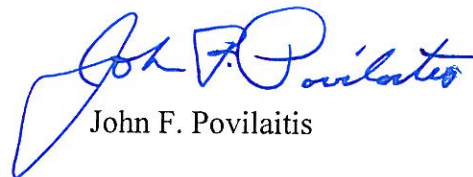
Re: Petition of West Penn Power Company d/b/a Allegheny Power for Approval of its Energy Efficiency and Conservation Plan, Approval of Recovery of its Costs through a Reconcilable Adjustment Clause and Approval of Matters Relating to the Energy Efficiency and Conservation Plan, Docket No. M-2009-2093218

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Dear Mr. McNulty:

In lieu of filing a formal answer, West Penn Power Company d/b/a Allegheny Power files this letter response to the petition to intervene in above-captioned proceeding filed by Field Diagnostic Services, Inc. ("FDS"). Without prejudice to any future position that Allegheny Power may take on the issues addressed in the petition, Allegheny Power does not oppose the intervention of FDS, provided that the scope of its intervention is limited to the contractor/installer HVAC-related issues identified in the petition.

Very truly yours,

  
John F. Povilaitis

JFP/ck  
Enclosures

c. Certificate of Service  
The Honorable Katrina L. Dunderdale

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of West Penn Power Company :  
d/b/a Allegheny Power for Approval :  
of its Energy Efficiency and Conservation :  
Plan, Approval of Recovery of its Costs : Docket No. M-2009-2093218  
through a Reconcilable Adjustment Clause :  
and Approval of Matters Relating to the :  
Energy Efficiency and Conservation Plan :

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served a copy of the foregoing documents in accordance with the requirements of 52 Pa. Code § 1.54 et seq. (relating to service by a participant).

VIA FIRST CLASS AND  
ELECTRONIC MAIL

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Date: July 30, 2009



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