

**PENNSYLVANIA UTILITY LAW PROJECT  
118 LOCUST STREET  
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November 3, 2009

**VIA ELECTRONIC FILING (E-FILING)**

Secretary James J. McNulty  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street  
Harrisburg, PA 17120

**Re: Petition of West Penn Power d/b/a Allegheny Power for Expedited Approval of its  
Smart Meter Technology Procurement and Installation Plan  
Docket No. M-2009-2123951**

Dear Secretary McNulty:

Enclosed for filing in the above captioned proceeding, please find a Certificate of Service indicating parties to the proceeding have been duly served with a letter stating ACORN will not be filing Surrebuttal Testimony.

As always, please feel free to contact me with any questions.

Very truly yours,

*/s/ John C. Gerhard*

John C. Gerhard  
*Counsel for ACORN*

Enclosure

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Petition of West Penn Power Company :**  
**d/b/a Allegheny Power for Expedited :**  
**Approval of its Smart Meter Technology :**  
**Procurement and Installation Plan :**

**Docket No. M-2009-2123951**

**CERTIFICATE OF SERVICE**

I hereby certify that I have today served a copy of ACORN November 3, 2009 Letter Regarding Surrebuttal Testimony upon the parties of record in this proceeding listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

**Via Electronic Mail and First Class Mail**

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*/s/ John C. Gerhard*

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Dated: November 3, 2009