



GOVERNOR'S OFFICE OF GENERAL COUNSEL

November 4, 2010

717-787-7060

Fax: 717-783-7911

Honorable Rosemary Chiavetta, Secretary
Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

RE: Joint Application of West Penn Power Company, D/B/A
Allegheny Power, Trans-Allegheny Interstate Line
Company and FirstEnergy Corporation 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
PUC Docket No. A-2010-2176520
A-2010-2176732

Dear Secretary Chiavetta:

Enclosed for filing is a Notice of Withdrawal of the Petition by the Pennsylvania Department of Environmental Protection for an Interlocutory Commission Review and Answer to the Material Question Presented. Because the Department is supporting the Joint Petition for Partial Settlement in this matter, the request for review of the granting of a Motion to Strike Department Testimony has become moot.

Per the attached Certificate of Service, copies of the Notice are being served on the Administrative Law Judges and the other parties to the proceeding.

Thank you for your assistance.

Sincerely,

Kurt E. Klapkowski
Assistant Counsel

cc: Certificate of Service



**COMMONWEALTH OF PENNSYLVANIA
BEFORE THE PUBLIC UTILITY COMMISSION**

JOINT APPLICATION OF WEST	:	
PENN POWER COMPANY, D/B/A	:	
ALLEGHENY POWER, TRANS-	:	
ALLEGHENY INTERSTATE LINE	:	
COMPANY AND FIRSTENERGY	:	
CORPORATION FOR A	:	
CERTIFICATE OF PUBLIC	:	Docket No. A-2010-2176520
CONVENIENCE UNDER SECTION	:	A-2010-2176732
1102(A)(3) OF THE PUBLIC UTILITY	:	
CODE APPROVING A CHANGE	:	
OF CONTROL OF WEST PENN	:	
POWER COMPANY AND TRANS-	:	
ALLEGHENY INTERSTATE	:	
LINE COMPANY	:	

CERTIFICATE OF SERVICE

I hereby certify that this day I served a copy of the attached Notice of Withdrawal of the Petition by the Pennsylvania Department of Environmental Protection for an Interlocutory Commission Review and Answer to the Material Question Presented upon the persons listed below in the manner indicated in accordance with the requirements of 52 Pa. Code § 1.54.

VIA ELECTRONIC AND FIRST-CLASS MAIL:

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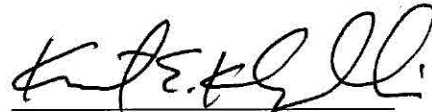
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Dated: November 4, 2010

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BEFORE THE PUBLIC UTILITY COMMISSION**

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ALLEGHENY INTERSTATE	:	
LINE COMPANY	:	

**NOTICE OF WITHDRAWAL
OF THE PETITION BY THE PENNSYLVANIA DEPARTMENT OF
ENVIRONMENTAL PROTECTION FOR AN INTERLOCUTORY COMMISSION
REVIEW AND ANSWER TO THE MATERIAL QUESTION PRESENTED**

On October 12, 2010, the Pennsylvania Department of Environmental Protection (“Department”) filed a Petition for an Interlocutory Commission Review and Answer to the Material Question Presented (“Petition”) with the Pennsylvania Public Utility Commission (“Commission”) related to the above-captioned proceeding. The Petition sought Commission review of the granting of a Motion to Strike Department Testimony relating to environmental compliance of the Joint Applicants. On October 28, 2010, the Department filed a Statement in Support of a Joint Petition for Partial Settlement (“Statement”). As outlined in the Statement, the Joint Petition for Partial Settlement resolves all outstanding issues the Department raised in the above-captioned proceeding to the satisfaction of the Department. Because the Joint Petition for Partial Settlement renders the issues raised in the Petition moot, the Department respectfully withdraws the Petition and does not seek Commission review of the issues presented therein.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "K.E. Klapkowski", written over a horizontal line.

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Dated: November 4, 2010