

Morgan, Lewis & Bockius LLP
1701 Market Street
Philadelphia, PA 19103-2921
Tel: 215.963.5000
Fax: 215.963.5001
www.morganlewis.com

Morgan Lewis
C O U N S E L O R S A T L A W

Kenneth M. Kulak
Partner
215.963.5384
kkulak@MorganLewis.com

RECEIVED

July 8, 2010

JUL - 8 2010

VIA FEDERAL EXPRESS

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
P.O. Box 3265
Harrisburg, PA 17105-3265

Re: *Joint Application of West Penn Power Company doing business as Allegheny Power, Trans-Allegheny Interstate Line Company and FirstEnergy Corp. 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, Docket Nos. A-2010-2176520, A-2010-2176732*

Dear Secretary Chiavetta:

Enclosed for filing is a Certificate of Service (original and three copies) evidencing service upon the parties of record of the Responses of West Penn Power Company, Trans-Allegheny Interstate Line Company, and First Energy Corp. to the Interrogatories of the Office of Consumer Advocate ("OCA"), Set II, Question 3.

In addition, in response to OCA Set I, Set IV, Question 9, in which the OCA requested a copy of the Joint Applicants' Hart-Scott-Rodino ("HSR") filing and Joint Applicants objected, the OCA and the Joint Applicants have reached a resolution under which a copy of the HSR filing will be provided to the OCA and to the Office of Small Business Advocate and the Office of Trial Staff subject to the "highly confidential" provisions of the Protective Order entered in this proceeding.

Very truly yours,


Kenneth M. Kulak

Enclosures

c: Per Certificate of Service
 Philadelphia Washington New York Los Angeles San Francisco Miami Pittsburgh Princeton Chicago Minneapolis
 Palo Alto Dallas Houston Harrisburg Irvine Boston London Paris Brussels Frankfurt Beijing Tokyo

DB1/65194342.1

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**JOINT APPLICATION OF WEST PENN
POWER COMPANY doing business as
ALLEGHENY POWER, TRANS-
ALLEGHENY INTERSTATE LINE
COMPANY AND FIRSTENERGY CORP.
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**

**DOCKET NOS. A-2010-2176520
A-2010-2176732**

RECEIVED

JUL - 8 2010

**PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU**

CERTIFICATE OF SERVICE

I hereby certify and affirm that I have this day served a copy of the Responses Of West Penn Power Company, Trans-Allegheny Interstate Line Company, And First Energy Corp. To The Interrogatories Of The Office Of Consumer Advocate, Set II, Question 3 on the following persons in the matter specified in accordance with the requirements of 52 Pa. Code § 1.54:

VIA FEDERAL EXPRESS

Allison C. Kaster
Carrie B. Wright
Office of Trial Staff
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120
akaster@state.pa.us
carwright@state.pa.us

Tanya J. McCloskey
Senior Assistant Consumer Advocate
Darryl Lawrence
Assistant Consumer Advocate
Pennsylvania Office of Consumer Advocate
5th Floor, Forum Place
555 Walnut Street
Harrisburg, PA 17101-1923
tmccloskey@paoca.org
dlawrence@paoca.org
jhorner@paoca.org

Daniel G. Asmus, Esquire
Assistant Small Business Advocate
Office of Small Business Advocate
Commerce Building, Suite 1102
300 North Second Street
Harrisburg, PA 17101
dasmus@state.pa.us

Regina L. Matz
Thomas, Long, Niesen & Kennard
P.O. Box 9500
212 Locust Street, Suite 500
Harrisburg, PA 17108-9500
rmatz@thomaslonglaw.com
Counsel for ARIPPA

Benjamin L. Willey
Law Offices of Benjamin L. Willey, LLC
7272 Wisconsin Avenue, Suite 300
Bethesda, MD 20814
blw@bwilleylaw.com
Counsel for York County Solid Waste Authority

Divesh Gupta
Senior Counsel
Constellation Energy
111 Market Place, Suite 500
Baltimore, MD 21202
divesh.gupta@constellation.com
Counsel for Constellation

Theodore S. Robinson
Staff Attorney
Citizen Power
2121 Murray Avenue
Pittsburgh, PA 15217
robinson@citizenpower.com
Counsel for Citizen Power, Inc.

John K. Baillie
Charles McPhedran
Citizens for Pennsylvania's Future
425 Sixth Avenue, Suite 2770
Pittsburgh, PA 15219
baillie@pennfuture.org
mcphedran@pennfuture.org
Counsel for PennFuture

Kurt E. Klapkowski
Commonwealth of Pennsylvania
Department of Environmental Protection
RCSOB, 9th Floor
400 Market Street
Harrisburg, PA 17101-2301
kklapkowski@state.pa.us
Counsel for the Pennsylvania Department of Environmental Protection

Eric Paul Cheung
Joseph Otis Minott
Clean Air Council
135 South 19th Street, Suite 300
Philadelphia, PA 19103
echeung@cleanair.org
joe_minott@cleanair.org
Counsel for Clean Air Council

Susan E. Bruce
Vasiliki Karandrikas
Carl J. Zwick
McNees Wallace & Nurick LLC
P.O. Box 1166
100 Pine Street
Harrisburg, PA 17108-1166
sbruce@mwn.com
vkandrikas@mwn.com
czwick@mwn.com
*Counsel for West Penn Power Industrial
Intervenors*

Daniel Clearfield
Deanne M. O'Dell
Carl R. Schultz
Eckert Seamans Cherin & Mellott, LLC
P.O. Box 1248
213 Market Street, 8th Floor
Harrisburg, PA 17101
dclearfield@eckertseamans.com
dodell@eckertseamans.com
cschultz@eckertseamans.com
*Counsel for Direct Energy Services, Inc., &
RESA*

Scott H. Strauss
Katharine M. Mapes
Spiegel & McDiarmid, LLP
1333 New Hampshire Avenue, NW
Hampshire Avenue, NW
Washington, DC 20036
scott.strauss@spiegelmc.com
katharine.mapes@spiegelmc.com
*Counsel for Utility Workers Union of
America, AFL-CIO and UWUA System
Local No. 102*

Stephen H. Jordan
Rothman Gordon P.C.
Third Floor, Grant Building
310 Grant Street
Pittsburgh, PA 15219
shjordan@rothmangordon.com
*Counsel for Utility Workers Union of America,
AFL-CIO and UWUA System Local No. 102*

Charis Mincavage
Vasiliki Karandrikas
Carl J. Zwick
McNees Wallace & Nurick LLC
P.O. Box 1166
100 Pine Street
Harrisburg, PA 17108-1166
cmincavage@mwn.com
vkandrikas@mwn.com
czwick@mwn.com
Counsel for MEIUG/PICA

Thomas J. Sniscak
Todd S. Stewart
William E. Lehman
Hawke McKeon & Sniscak LLP
P.O. Box 1778
100 North Tenth Street
Harrisburg, PA 17105
tjsniscak@hmslegal.com
tsstewart@hmslegal.com
welehman@hmslegal.com
Counsel for the Pennsylvania State University

Derrick Price Williamson
Spilman, Thomas & Battle, PLLC
1100 Bent Creek Boulevard, Suite 101
Mechanicsburg, PA 17050
dwilliamson@spilmanlaw.com
*Counsel for Pennsylvania Mountains
Healthcare Alliance*

Gary A. Jack
Kelly L. Geer
Duquesne Light Company
411 Seventh Avenue, 16-4
Pittsburgh, PA 15218
gjack@duqlight.com
kgeer@duqlight.com
Counsel for Duquesne Light

Thomas T. Niesen
Thomas, Long, Niesen & Kennard
P.O. Box 9500, Suite 500
212 Locust Street
Harrisburg, PA 17108
tniesen@thomaslonglaw.com
*Counsel for West Penn Power Sustainable
Energy Fund*

David J. Dulick
General Counsel
Pennsylvania Rural Electric Association
212 Locust Street
P.O. Box 1266
Harrisburg, PA 17108-1266
david_dulick@prea.com
*Counsel for Pennsylvania Rural Electric
Association*

Michael W. Gang
Anthony D. Kanagy
Post & Schell, P.C.
17 North Second Street, 12th floor
Harrisburg, PA 17101-1601
mgang@postschell.com
akanagy@postschell.com
Counsel for Duquesne Light Company

Charles E. Thomas, Jr.
Thomas, Long, Niesen & Kennard
P.O. Box 9500
212 Locust Street, Suite 500
Harrisburg, PA 17108-9500
cthomasjr@thomaslonglaw.com
*Counsel for Pennsylvania Rural Electric
Association*


Scott J. Rubin
333 Oak Lane
Bloomsburg, PA 17815-2036
scott.j.rubin@gmail.com
Counsel for IBEW

Randall B. Palmer (Pa. No. 94161)
Jennifer L. Petrisek (Pa. No. 83411)
Allegheny Energy, Inc.
800 Cabin Hill Drive
Greensburg, PA 15601
Phone: (724) 838-6894
Fax: (724) 853-4264
Email: rpalmer@alleghenyenergy.com

W. Edwin Ogden (Pa. No. 17644)
Alan Michael Seltzer (Pa. No. 27890)
Ryan, Russell, Ogden & Seltzer PC
Suite 210
1150 Berkshire Boulevard
Wyomissing, PA 19610-1208
Phone: (610) 372-4761
Fax: (610) 372-4177
Email: aseltzer@ryanrussell.com

*Counsel for West Penn Power Company and
Trans-Allegheny Interstate Line Company*

Date: July 8, 2010


Thomas P. Gadsden
(Pa. No. 28478)
Kenneth M. Kulak
(Pa. No. 75509)
Morgan, Lewis & Bockius LLP
1701 Market Street
Philadelphia, PA 19103-2921
Phone: (215) 963-5234
Fax: (215) 963-5001
Email: tgadsden@morganlewis.com

Bradley A. Bingaman, Esquire
(Pa. No. 90443)
FirstEnergy Service Company
2800 Pottsville Pike
P.O. Box 16001
Reading, PA 19612-6001
Phone: (610) 921-6203
Fax: (610) 939-8655
Email: bbingaman@firstenergycorp.com

Counsel for FirstEnergy Corp.

ORIGIN ID: REDA (215) 963-5317
MAILROOM
MORGAN LEWIS & BOCKIUS LLP
1701 MARKET STREET

SHIP DATE: 08JUL10
ACTWGT: 0.3 LB
CAD: 0684922/CAFE2453

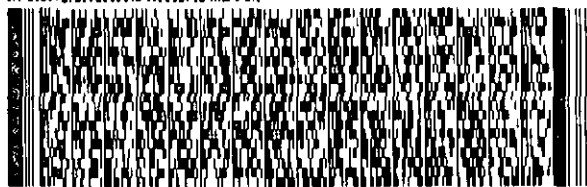
PHILADELPHIA, PA 19103
UNITED STATES US

BILL SENDER

TO ROSEMARY CHIAVETTA
PA PUBLIC UTILITY COMMISSION
400 N ST
COMMONWEALTH KEYSTONE BLDG.
HARRISBURG PA 17120

REF: 00694 - 042057 - 0006

11 00010101000010 000000 00 0000 0 010



FedEx
Express



J09200911302223

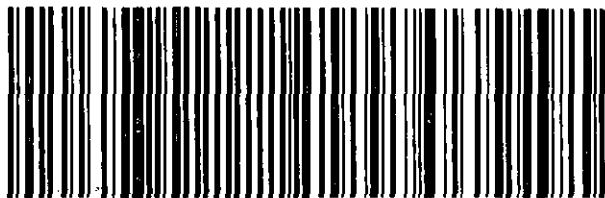
TRK#
0201

4222 5007 9271

FRI - 09JUL A1
PRIORITY OVERNIGHT

ZN MDTA

17120
PA-US
MDT



Part # 156148-434 NRIT V3 02:09 :