

COMMONWEALTH OF PENNSYLVANIA



OFFICE OF CONSUMER ADVOCATE

555 Walnut Street, 5th Floor, Forum Place
Harrisburg, Pennsylvania 17101-1923
(717) 783-5048
800-684-6560 (in PA only)

FAX (717) 783-7152
consumer@paoca.org

IRWINA. POPOWSKY
Consumer Advocate

September 1, 2009

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

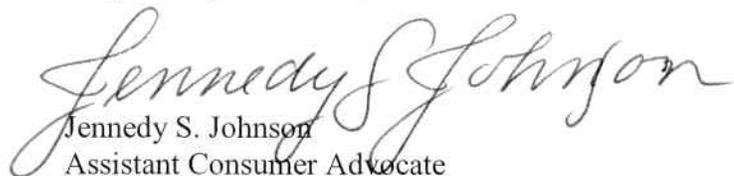
RE: Petition of PECO Energy Company for
Approval of its Smart Meter Technology
Procurement and Installation Plan
Docket No. M-2009-2123944

Dear Secretary McNulty:

Enclosed for filing is the Notice of Intervention and Public Statement of the Office of Consumer Advocate, in the above-referenced proceeding.

Copies have been served as indicated on the enclosed Certificate of Service.

Respectfully Submitted,


Kennedy S. Johnson
Assistant Consumer Advocate
PA Attorney I.D. # 203098

Enclosures

cc: Honorable Marlane R. Chestnut
Office of Special Assistants

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BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

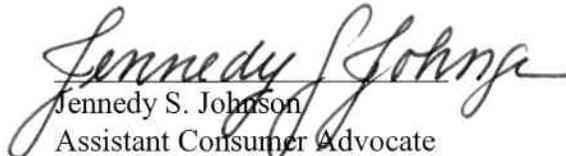
Petition of PECO Energy Company :
for Approval of Its Smart Meter : Docket No. M-2009-2123944
Technology Procurement Plan :

NOTICE OF INTERVENTION

Pursuant to 52 Pa. Code Sections 5.71-74, the Office of Consumer Advocate hereby gives Notice of Intervention in the above-captioned proceeding. A copy of all correspondence and notices, documents, orders or other communications with respect to the above-captioned proceeding should be addressed to the following:

Jennedy S. Johnson
Assistant Consumer Advocate
PA Attorney I.D. # 203098
E-Mail: jjohnson@paoca.org
Tanya J. McCloskey
Senior Assistant Consumer Advocate
PA Attorney I.D. # 50044
E-Mail: TMcCloskey@paoca.org
Office of Consumer Advocate
555 Walnut Street
5th Floor, Forum Place
Harrisburg, PA 17101-1923
Phone: (717) 783-5048
Fax: (717) 783-7152

Respectfully submitted,


Jennedy S. Johnson
Assistant Consumer Advocate
PA Attorney I.D. # 203098

DATED: September 1, 2009
116925

PUBLIC STATEMENT OF THE
OFFICE OF CONSUMER ADVOCATE
PURSUANT TO 71 P.S. SECTION 309-4(e)

Act 161 of the Pennsylvania General Assembly, 71 P.S. Section 309-2, as enacted July 9, 1976, authorizes the Consumer Advocate to represent the interests of consumers before the Pennsylvania Public Utility Commission (PUC or Commission). In accordance with Act 161, and for the following reasons, the Consumer Advocate determined to intervene and participate in the Petition of PECO Energy Company for Approval of its Smart Meter Technology Procurement and Installation Plan (Plan) before the Commission.

On August 14, 2009, PECO Energy Company (PECO or Company) filed its Petition with the Pennsylvania Public Utility Commission (Commission) pursuant to Section 2807(f)(1) of the Public Utility Code and pursuant to the Implementation Order entered by the Commission at Docket No. M-2009-2092655 on June 24, 2009. Petition at 2. PECO requests that the Commission find that its Plan satisfies the requirements of Act 129 and approve both the procurement and deployment of up to 600,000 meters and the Company's proposed tariff provisions and cost recovery surcharge mechanism. Id. at 1. Beginning in the fall of 2011, the Company plans an initial deployment ("Phase One") of 100,000 to 600,000 smart meters—depending on PECO's receipt of American Recovery and Reinvestment Act (ARRA) funds. Id. at 7. PECO anticipates filing its Plan for "Phase Two" with the Commission in 2012, which will detail its plans to install smart meters for the remainder of its customers, after the Advanced Meter Infrastructure (AMI) is operational. Id. at 8. The Consumer Advocate determined to intervene in this proceeding to protect the interests of PECO's customers; to ensure that the proposed Plan is in accordance with Act 129 and all other applicable statutes, regulations, and case law; and to ensure that any increase in rates resulting from the adoption of the proposed Plan and any related expenses is just and reasonable.

The OCA intends to review several areas of PECO's proposed plan including the Company's proposed cost recovery mechanisms. The OCA will seek to ensure that any costs that are sought to be recovered are consistent with Commission regulations, statutes and applicable case law and result in rates that are just and reasonable.

CERTIFICATE OF SERVICE

Petition of PECO Energy Company for :
Approval of its Smart Meter Technology : Docket No. M-2009-2123944
Procurement and Installation Plan :

I hereby certify that I have this day served a true copy of the foregoing document, Notice of Intervention and Public Statement of the Office of Consumer Advocate, upon parties of record in this proceeding in accordance with the requirements of 52 Pa. Code Section 1.54 (relating to service by a participant), in the manner and upon the persons listed below:

Dated this 1st day of September 2009.

SERVICE BY E-MAIL and INTEROFFICE MAIL

Richard A. Kanaskie, Esquire
Carrie B. Wright, Esquire
Office of Trial Staff
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

SERVICE BY E-MAIL and FIRST CLASS MAIL

Romulo Diaz, Esquire
Anthony E. Gay, Esquire
Exelon Business Services Company
2301 Market Street, S23-1
P.O. Box 8699
Philadelphia, PA 19101-8699
Counsel for: *PECO Energy Company*

Thomas P. Gadsden, Esquire
Kenneth M. Kulak, Esquire
Anthony C. DeCusatis, Esquire
Morgan Lewis & Bockius LLP
1701 Market Street
Philadelphia, PA 19103-2921
Counsel for: *PECO Energy Company*

Charis Mincavage, Esquire
Barry A. Naum, Esquire
Shelby A. Linton-Keddie, Esquire
McNees Wallace & Nurick LLC
100 Pine Street
P.O. Box 1166
Harrisburg, PA 17108-1166
Counsel for: *Philadelphia Area Industrial Energy Users Group*

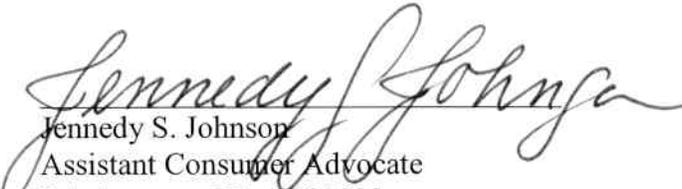
Daniel G. Asmus
Sharon E. Webb
Assistant Small Business Advocates
Office of Small Business Advocate
Commerce Building, Suite 1102
300 N. Second Street
Harrisburg, PA 17101
Counsel for: *Office of Small Business Advocate*

Harry Geller, Esquire
John Gerhard, Esquire
Pennsylvania Utility Project
118 Locust Street
Harrisburg, PA 17101
Counsel for: *Association of Community Organizations for Reform Now*

Scott Perry, Assistant Counsel
Aspassia V. Staevska, Assistant Counsel
Commonwealth of Pennsylvania
Department of Environmental Protection
RCSOB, 9th Floor
400 Market Street
Harrisburg, PA 17101-2301
Counsel for: *Department of Environmental Protection*

George Jugovic, Assistant Counsel
Commonwealth of Pennsylvania
Department of Environmental Protection
400 Waterfront Drive
Pittsburgh, PA 15222-4745
Counsel for: *Department of Environmental Protection*

Roger Clark, Esquire
The Reinvestment Fund
Sustainable Development Fund
718 Arch Street, Suite 300 North
Philadelphia, PA 19106
Counsel for: *The Reinvestment Fund*



Kennedy S. Johnson
Assistant Consumer Advocate
PA Attorney I.D. # 203098

E-Mail: jjohnson@paoca.org
Tanya J. McCloskey
Senior Assistant Consumer Advocate
PA Attorney I.D. # 50044
E-Mail: TMcCloskey@paoca.org

Counsel for
Office of Consumer Advocate
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Harrisburg, PA 17101-1923
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