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March 12, 2010

VIA HAND DELIVERY

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

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SECRETARY'S BUREAU

**Re: Comments of the Energy Association of Pennsylvania to the Tentative Order
regarding Technical Reference Manual Update
Docket No. M-00051865**

Dear Secretary McNulty:

In the Act 129 Energy Efficiency and Conservation Program Implementation Order entered on January 16, 2009 at Docket No. M-2008-2069887, the Pennsylvania Public Utility Commission ("Commission") adopted the above-referenced Technical Reference Manual ("TRM") as a component of the Energy Efficiency and Conservation ("EE&C") Program evaluation process. Thereafter, a collaborative process was initiated by Commission Staff resulting in an updated 2009 version of the TRM which was adopted by the Commission in May 2009. The Commission further recognized the need to review and update the TRM on an annual basis. The instant Tentative Order dated February 2, 2010 initiates the annual update of the TRM to be applied beginning with the 2010-2011 AEPS Act and Act 129 EE&C program compliance years. The Energy Association of Pennsylvania ("Association") offers limited general comments on the Tentative Order, noting that a number of its members will submit more detailed comments on technical aspects of the changes proposed to the TRM.

Prospective or Retroactive Application

Generally, the Association supports the prospective application of changes in the annual update of the TRM. For this update, changes approved in the Commission's Final Order would thus be applicable as of June 1, 2010. Understanding that part of the objective of this first annual update was "to clarify existing protocols and algorithms that were [allegedly] difficult to interpret in light of sound engineering principles and to provide values that were referenced in the TRM algorithms but not previously provided," the Association supports application of some changes retroactively for this first annual update only. See Tentative Order at p.5. The Association supports retroactive application of approved modifications to the TRM only to the extent retroactive application is supported by its individual member companies as set forth in comments filed to the instant Tentative Order.

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The Association appreciates the opportunity to provide comments on this first annual update of the TRM and welcomes the continuation of the collaborative process initiated by Commission Staff.

Very truly yours,

A handwritten signature in black ink, appearing to read "Donna M. J. Clark", with a long horizontal flourish extending to the right.

Donna M. J. Clark
Vice President & General Counsel
Energy Association of PA

CC: James H. Cawley, Chairman
Tyrone J. Christy, Vice Chairman
Robert F. Powelson, Commissioner
Wayne E. Gardner, Commissioner
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