

SUSTAINABLE ENERGY FUND

March 10, 2010

Mr. James J. McNulty, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

RE: Docket No. M-00031715F003
Request for Approval of Appointment and Discussion with Kenneth Mickens on ABA Formal
Opinion 98-410

Dear Mr. McNulty,

I am in receipt of your letter dated March 3, 2010 which requests that the Sustainable Energy Fund Board of Directors review and discuss the ABA Formal Opinion 98-410 with Mr. Mickens.

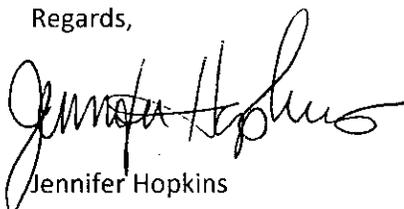
A Sustainable Energy Fund Board meeting was convened for the purpose of discussing the ABA Formal Opinion. We understand the ethical concerns of a lawyer occupying the dual role of director and legal counsel. After a discussion, the Sustainable Energy Fund Board continues to recommend that the Commission approve Mr. Mickens' appointment to the SEF Board of Directors.

A discussion with Mr. Mickens followed the Board meeting. The ABA Formal Opinion was discussed. Mr. Mickens understands the different responsibilities of legal counsel and director and feels that the dual roles can be maintained without compromising his independence of professional judgment while acting as counsel.

Sustainable Energy Fund respectfully requests that the appointment of Kenneth Mickens and Pamela Polacek be acted upon at the March 25, 2010 PUC meeting.

If you have any questions regarding the above, please feel free to contact me.

Regards,



Jennifer Hopkins
President

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