

DS supply requirements for its G1 customers. The solicitation process was conducted in accordance with the model schedule contained in the Settlement Agreement.

UES submits this Petition in compliance with the Settlement Agreement and orders issued in Docket No. DE 05-064 and subsequent related proceedings, and requests approval of the results of its most recent solicitation, as described more fully below and in the attached exhibits, and also requests approval of the tariffs included with this filing.

Description of Exhibits

Attached to this Petition are the following Exhibits:

Exhibit RSF-1: Testimony and Schedules of Robert S. Furino.

Exhibit LSM-1: Testimony and Schedules of Linda S. McNamara.

Solicitation Process and Selection of Winning Bidders

UES submits that it has conducted the solicitation process, made its selection of the winning bidder and entered into a Power Supply Agreement in accordance with the representations set forth in its Petition submitted on April 1, 2005, as amended by the Settlement Agreement filed on August 11, 2005 and as approved by the Commission in its orders in Docket No. DE 05-064 and subsequent related dockets. Details of UES' compliance in this regard are set forth in Exhibit RSF-1 and the Bid Evaluation Report attached as Schedule RSF-1 thereto. A copy of the RFP, redlined against the previous RFP issued by UES in this docket, was provided to Commission Staff and the Office of Consumer Advocate ("OCA") by e-mail on November 10, 2008. A redline version of the

final Power Supply Agreement with the winning bidder is provided in the confidential attachment labeled Tab A to Schedule RSF-1.

Proposed Tariffs

UES' proposed tariff is included with this filing and are provided in redline as Schedule LSM-1 attached to Exhibit LSM-1. UES requests approval of this proposed tariff.

Proposed Rate Calculations

The proposed rate calculations for the G1 Default Service Charge ("DSC") are shown on Page 1 of Schedule LSM-2, attached to Exhibit LSM-1.

Bill Impacts

Schedule LSM-3 provides typical bill impacts associated with UES' proposed DS rate changes for customers who do not choose a competitive supplier.

Motion for Confidential Treatment

Accompanying this Petition is a Motion for Confidential Treatment and Protective Order wherein UES seeks protective treatment with respect to certain information contained in Exhibit RSF-1 and Exhibit LSM-1 and in the e-mails exchanged with the Staff and the OCA on November 26, 2008, containing a summary of bidders' initial proposals.

Request for Approvals

UES respectfully requests that the Commission issue a final order no later than December 12, 2008, containing the following findings of fact, conclusions and approvals:

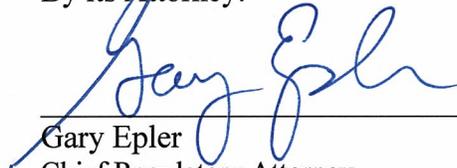
1. FIND that UES has followed the solicitation process approved by the Commission;
2. FIND that UES' analysis of the bids submitted was reasonable;
3. FIND that UES has supplied a reasonable rationale for its choice of supplier.
4. CONCLUDE that, based upon the above Findings, the power supply costs resulting from the solicitation are reasonable;
5. CONCLUDE that, based upon the above Findings and Conclusion that the power supply costs resulting from the solicitation are reasonable, and subject to the ongoing obligation of UES to act prudently, according to law and in conformity with Commission orders, the amounts payable to the seller for power supply costs under the power supply agreement for G1 customers are approved for inclusion in retail rates beginning February 1, 2009.
6. GRANT APPROVAL of the tariff change requested herein.
7. GRANT APPROVAL of the Motion for Confidential Treatment and Protective Order.
8. GRANT APPROVAL of the request, pursuant to the terms of the Settlement Agreement in DE 05-064, to allow UES to discontinue the requirement that bidders submit both energy-and-capacity and energy-only fixed price bids, and allow it to begin soliciting for full requirements service, including the provision of capacity, under fixed monthly prices.

Conclusion

For all of the foregoing reasons, UES requests that the Commission grant it the approvals requested in this Petition, and for such other relief as the Commission may deem necessary and proper.

Respectfully submitted,

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