

**CONSTELLATION'S RESPONSE
TO STAFF DATA REQUEST PL-11.01
DATED APRIL 24, 2008**

PL-11.01. Referring to Mr. Fein's statement that "Constellation believes that the Rider SMP mechanism itself is ripe for approval in this docket," (CNE Ex. 2.0, p. 5, lines 89-90), please answer the following:

- a. Please clarify whether it is Mr. Fein's testimony that the Commission should approve Rider SMP in the form that ComEd has proposed it in ComEd's rebuttal testimony without any further modifications or whether it is Mr. Fein's testimony that the Commission should approve some appropriate form of Rider SMP in this proceeding rather than in some later proceeding?
- b. If it is Mr. Fein's testimony that the Commission should approve some appropriate form of Rider SMP in this proceeding rather than in some later proceeding, does Mr. Fein oppose any revisions to Rider SMP to narrow the types of cost that can be recovered under Rider SMP to Smart Grid projects like those discussed by ComEd witnesses?

RESPONSE:

- a. It is Mr. Fein's testimony that the Commission should approve an appropriate form of Rider SMP in this proceeding rather than in some later proceeding.
- b. Mr. Fein neither endorses nor opposes revisions to Rider SMP that would narrow the types of cost that can be recovered under Rider SMP to Smart Grid projects like those discussed by ComEd witnesses.

07-0566
ICC STAFF CROSS 1
David Fein
4/23/08 TO

ICC Staff Cross Exhibit No. _____