

Public Service Commission

Richard E. Hitt, General Counsel



201 Brooks Street, P.O. Box 812
Charleston, West Virginia 25323

Phone: (304) 340-0317
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February 17, 2005



Secretary
Securities and Exchange Commission
Washington, D.C. 20549-0609

Re: File No. 70-10251
Allegheny Energy, Inc., et al.; filing under the Public
Utility Holding Company Act of 1935

Dear Secretary:

Enclosed please find the original and three (3) copies of a Motion to Intervene and Initial Comments of the Public Service Commission of West Virginia. I have attached a certificate of application indicating service upon the applicants at the address noted in your public release no. 35-27941. In addition, I have served a copy upon counsel for Harbert Distress Investment Master Fund, LTD. If there are other parties that must be served, please let me know as soon as possible and I will take care of serving the enclosed material.

I have enclosed an extra copy with a self addressed envelope which I would request that you time stamp and return to me at your earliest convenience.

Thank you for your attention in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard E. Hitt".

Richard E. Hitt
General Counsel

REH/cbd

cc: E. H. Staats, Chairman

Enclosure

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BEFORE THE SECURITIES AND EXCHANGE COMMISSION
WASHINGTON, D.C.

File No. 70-10251
Application of Allegheny Energy, Inc., et al.

COMMENTS AND MOTION TO INTERVENE
OF THE PUBLIC SERVICE COMMISSION OF WEST VIRGINIA
REGARDING APPLICATION OF ALLEGHENY ENERGY, INC.
UNDER THE PUBLIC UTILITY COMPANY ACT OF 1935

The Commission is requested to send copies of all notices, orders and communications in connection with this matter to:

Richard E. Hitt, General Counsel
Public Service Commission of West Virginia
Post Office Box 812
Charleston, West Virginia 25323
(304) 340-0317

COMMENTS AND MOTION TO INTERVENE
OF THE PUBLIC SERVICE COMMISSION OF WEST VIRGINIA

The Public Service Commission of West Virginia (hereinafter "PSCWV"), by counsel, respectfully moves to intervene pursuant to the Commission's Rule 210 and files its initial comments pursuant to the Commission's notice of January 24, 2005, release number 35-27941.

1. The PSCWV is a state regulatory agency existing under the laws of the State of West Virginia which, among its other responsibilities, includes the regulation of electric and natural gas utilities providing service in the State, including Monongahela Power Company, Mountaineer Gas Company, and The Potomac Edison Company, all of whom are utility applicants in this proceeding.

2. The PSCWV is obligated under the laws of the State of West Virginia to regulate utilities in order to protect and safeguard the public interest. Since it is a state commission and since this is a filing pursuant to Public Utility Holding Company Act of 1935, the PSCWV understands that this Commission's Rule 210(b)(2) allows a state commission to intervene as a matter of right.

3. Upon its initial reading of the application and the public notice of this matter, the PSCWV believes that the applicants are not applying for new authority from this Commission but instead are seeking to continue forward in time their existing authority which is scheduled to expire this year.

4. The PSCWV has also received the comments of Harbert Distress Investment

Master Fund, LTD, filed with this Commission regarding this application. Although the PSCWV is not embracing or otherwise adopting the comments of Harbert Distress Investment Master Fund, LTD at this point, a reading of those comments has caused the PSCWV to have concerns.

5. Based on informal discussion with representatives of the applicants, the PSCWV believes that the applicants will be making a further filing which clarifies the authority it is seeking from this Commission as well as responding to the comments of Harbert Distress Investment Master Fund, LTD. By seeking to intervene in this matter, the PSCWV asks leave of this Commission to file further comments upon the receipt of such further filing by the applicants.

WHEREFORE, the PSCWV respectfully requests that the Commission grant the relief requested herein and grant it intervenor status in this matter.

Respectfully submitted this 17th day of February, 2005.

THE PUBLIC SERVICE COMMISSION
OF WEST VIRGINIA

By Counsel,



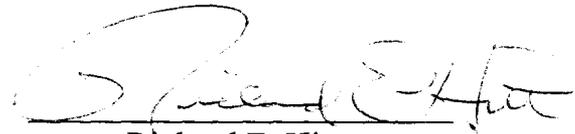
Richard E. Hitt, General Counsel
Post Office Box 812
Charleston, West Virginia 25323
(304) 340-0317

CERTIFICATE OF SERVICE

I, RICHARD E. HITT, General Counsel for the Public Service Commission of West Virginia, do hereby certify that on this 17th day of February, I served a copy of the enclosed filing, by first class mail, postage prepaid upon the following parties:

Allegheny Energy, Inc., et al.
800 Cabin Hill Drive
Greensburg, PA 15601

Mark F. Sunback, Esquire
Andrews Curth, LLP
1701 Pennsylvania Avenue, NW
Suite 300
Washington, DC 20006

A handwritten signature in black ink, appearing to read "Richard E. Hitt", written over a horizontal line.

Richard E. Hitt