

**UNITED STATES OF AMERICA
U.S. DEPARTMENT OF ENERGY
BEFORE THE
BONNEVILLE POWER ADMINISTRATION**

FY 2010-2011 Proposed Power and Transmission Rate Adjustments)
)
) Docket No. BPA -10
)

**MOTION TO INTERVENE OF
CONSTELLATION ENERGY COMMODITIES GROUP, INC.
AND CONSTELLATION NEWENERGY, INC.**

Pursuant to Section 1010.4 of the Rules of Procedure Governing Rate Hearings of the United States Department of Energy’s Bonneville Power Administration (“BPA” or “Administration”) and the Administration’s February 10, 2009 Notice of a public hearing and opportunity for public review and comment on the Administration’s proposed rate adjustments, Constellation Energy Commodities Group, Inc. (“CCG”) and Constellation NewEnergy, Inc. (“CNE”) (collectively, the “CEG Companies”) hereby move to intervene in the above-captioned proceeding. In support, the CEG Companies state as follows:

I. COMMUNICATIONS

All communications concerning this filing should be addressed to the following representatives of the CEG Companies, who should be included on the official service list in the proceeding:

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CCG and CNE are indirect, wholly-owned subsidiaries of Constellation Energy Group, Inc., (“CEG”) a FORTUNE 125 North American energy company with several merchant subsidiaries in addition to CCG and CNE, including a regulated utility subsidiary, Baltimore Gas and Electric Company.

CCG is a power marketer authorized by the Federal Energy Regulatory Commission (“FERC” or “Commission”) to sell energy and capacity and certain ancillary services at market-based rates.¹ CCG focuses on serving the full requirements power needs of distribution utilities, co-ops and municipalities that competitively source their load requirements. CCG also sells natural gas and other commodities at wholesale, both in the United States and abroad, and holds interests in exploration and production companies. CCG does not own any physical assets for the generation, transmission, or distribution of electric power and has no retail electric customers or service territories.

CNE is a retail electricity supplier that provides customized energy solutions and comprehensive energy services to commercial and industrial customers. CNE has been certified to act as a competitive retail electric supplier to serve customers located within various service territories throughout the United States and Canada, and has been granted market-based rate authority by the Commission.²

II. BACKGROUND

On February 10, 2009, the Bonneville Power Administration (“BPA” or “Administration”) issued a Notice of a public hearing and opportunity for public review and comment on the Administration’s proposal to adjust its power and transmission rates.

(See 74 FR 6609.)

III. MOTION TO INTERVENE

As active participants in the markets governed by BPA, the CEG Companies have unique interests in this proceeding that cannot be adequately represented by another party. As a result, the CEG Companies have interests that may be directly affected by the outcome of this proceeding. Therefore, the CEG Companies should be permitted to intervene and participate in these proceedings.

V. CONCLUSION

WHEREFORE, the CEG Companies respectfully request that the Administration grant their motion to intervene and designate CCG and CNE as parties to this proceeding, with all the rights appropriate to that status.

Respectfully submitted,

/s/ Joseph E. Donovan

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*On behalf of Constellation Energy Commodities
Group, Inc. and Constellation NewEnergy, Inc.*

February 17, 2009

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have served via electronic delivery on this 17th day of February, 2009 the foregoing document in accordance with the requirements of the Administration's February 10, 2009 Notice.

/s/ Joseph E. Donovan

Joseph E. Donovan

Senior Counsel

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*On behalf of Constellation Energy Commodities
Group, Inc. and Constellation NewEnergy, Inc.*