

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

METROPOLITAN EDISON COMPANY; and	)	
PENNSYLVANIA ELECTRIC COMPANY,	)	
	)	
Plaintiffs	)	
	)	
vs.	)	
	)	
PENNSYLVANIA PUBLIC UTILITY	)	
COMMISSION;	)	
ROBERT F. POWELSON;	)	
JOHN F. COLEMAN, JR.;	)	
PAMELA A. WITMER;	)	Civil Action
WAYNE E. GARDNER; and	)	No. 11-cv-04474
JAMES H. CAWLEY in their	)	
official capacities as	)	
Commissioners of the Pennsylvania	)	
Public Utility Commission,	)	
	)	
Defendants	)	
and	)	
	)	
OFFICE OF SMALL BUSINESS	)	
ADVOCATE;	)	
MET-ED INDUSTRIAL USERS GROUP;	)	
and PENELEC INDUSTRIAL CUSTOMER	)	
ALLIANCE,	)	
	)	
Intervenor-Defendants	)	

**O R D E R**

NOW, this 30<sup>th</sup> day of September, 2013, upon consideration of Defendants' Amended Motion to Dismiss Pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6) filed December 21, 2012 (Document 50); upon consideration of the pleadings, briefs, and record papers in this matter; and for the reasons expressed in the accompanying Opinion,

IT IS ORDERED that the within motion is granted.

IT IS FURTHER ORDERED that the Amended Complaint for Declaratory and Injunctive Relief filed August 29, 2011 (Document 14) is dismissed.

IT IS FURTHER ORDERED that the Clerk of Court shall mark this case closed for statistical purposes.

BY THE COURT:

/s/ James Knoll Gardner  
James Knoll Gardner  
United States District Judge