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EXELON CORP
Form POS AMC
June 27, 2002

(As filed June 27, 2002)

File No. 70-9645

UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
Washington, D.C. 20549

POS-AMC
(Post-Effective Amendment No. 6)
to
FORM U-L
APPLICATION/DECLARATION
UNDER
THE PUBLIC UTILITY HOLDING COMPANY ACT OF 1935

EXELON CORPORATION
COMMONWEALTH EDISON COMPANY
10 South Dearborn Street
37th Floor
Chicago, Illinois 60603

PECO ENERGY COMPANY
2301 Market Street
Philadelphia, Pennsylvania 19101

EXELON GENERATION COMPANY, LLC
300 Exelon Way
Kennett Square, Pennsylvania 19348

INFRA SOURCE, INC.
200 Yale Avenue
Morton, Pennsylvania 19070

EXELON SERVICES INC.
2315 Enterprise Drive
Westchester, Illinois 60154

(Names of companies filing this statement and
addresses of principal executive offices)

EXELON CORPORATION

(Name of top registered holding company parent of applicants)

Randall E. Mehrberg
Executive Vice President and General Counsel
Exelon Corporation
10 South Dearborn Street
37th Floor
Chicago, Illinois 60603

(Name and address of agent for service)

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

Harvey B. Dikter
Senior Vice President and General Counsel
InfraSource, Inc.
200 Yale Avenue
Morton, Pennsylvania 19070

Constance W. Reinhard
Assistant General Counsel
Exelon Business Services Company
10 South Dearborn Street
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Chicago, IL 60603
(312) 394-3604
constance.reinhard@exeloncorp.com

William T. Baker, Jr., Esq.
Thelen Reid & Priest LLP
40 West 57th Street
New York, New York 10019

Post-Effective Amendment No. 1, filed in this proceeding on April 4, 2001, as amended by Post-Effective Amendments Nos. 3, 4, and 5(1) is hereby further amended as follows:

1. By replacing the paragraph added by Post Effective Amendment No. 3, as replaced by Post Effective Amendment No. 5, with the following paragraph at the end of Item 1.3:

"As indicated, under the Merger Order, the Commission granted an interim exemption under Section 13(b) of the Act from the at-cost standards of Rules 90 and 91 with respect to certain types of services rendered to and by the Utility Subsidiaries, including the infrastructure services provided by InfraSource, Inc.(2) and mechanical contracting services provided by ES, as described above. The Merger Order specifies that, as of January 1, 2002, all these transactions will be performed at cost in accordance with Rules 90 and 91. By supplemental order dated December 20, 2001 in this proceeding (Holding Co. Act Release No. 27480) (the "Supplemental Order") the Commission extended the interim exemption granted under the Merger Order from December 31, 2001 until June 30, 2002. It is now requested that, pending completion of the record, the Commission issue a second supplemental order extending the interim exemption granted under the Merger Order and extended by the Supplemental Order from June 30, 2002 until February 28, 2003. Applicants will complete the record by November 30, 2002. The affiliate agreements are currently in compliance with applicable affiliate transaction rules adopted by the Pennsylvania and Illinois Commissions. The eight-month extension will give the Commission two months beyond year-end, traditionally its busiest time, to act. It is requested that the Commission issue a second supplemental order extending the interim exemption as soon as practical and in any event not later than June 30, 2002, so that the status of any existing affiliate agreements is not called into question. Applicants state that, absent a Commission order granting any further extension by February 28, 2003, the at cost provisions of the Act will be followed after February 28, 2003."

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(1) Post-Effective Amendment No. 2, which was filed on October 1, 2001, relates to matters that are not the subject of Post Effective Amendment No. 1. Post-Effective Amendment No. 3, which was filed on December 14, 2001, requested a supplemental order extending the interim exemption granted under the Merger Order from December 31, 2001 until June 30, 2002. Post-Effective Amendment No. 4, which was filed on December 20, 2001, corrected a typographical error in Post-Effective Amendment No. 3. Post-Effective Amendment No. 5, which was filed on May 30, 2002, requested a second supplemental order extending the interim exemption granted under the Merger Order from June 30, 2002 until February 28, 2003.

(2) Since the date of the Supplemental Order referred to in this paragraph, EIS has changed its name to "InfraSource Inc."

SIGNATURES

Pursuant to the requirements of the Public Utility Holding Company Act of 1935, the undersigned companies have duly caused this statement to be signed on their behalves by the undersigned thereunto duly authorized.

EXELON CORPORATION

By: /s/ Randall Mehrberg

Name: Randall Mehrberg
Title: Executive Vice President and
General Counsel

INFRASOURCE, INC.

By: /s/ Harvey B. Dikter

Name: Harvey B. Dikter
Title: Senior Vice President and
General Counsel

EXELON SERVICES INC.

By: /s/ John Caraher

Name: John Caraher
Title: Vice President-Finance

COMMONWEALTH EDISON COMPANY
PECO ENERGY COMPANY
EXELON ENERGY GENERATION COMPANY, LLC

BY EXELON CORPORATION

By: /s/ Randall Mehrberg

Name: Randall Mehrberg
Title: Executive Vice President and
General Counsel

Date: June 27, 2002

