

**PUBLIC SERVICE COMMISSION OF THE DISTRICT OF COLUMBIA
1325 G STREET, N.W., SUITE 800
WASHINGTON, D.C. 20005**

ORDER

May 7, 2020

FORMAL CASE NO. 1156, IN THE MATTER OF THE APPLICATION OF POTOMAC ELECTRIC POWER COMPANY FOR AUTHORITY TO IMPLEMENT A MULTIYEAR RATE PLAN FOR ELECTRIC DISTRIBUTION SERVICE IN THE DISTRICT OF COLUMBIA, Order No. 20340

I. INTRODUCTION

1. By this Order, the Public Service Commission of the District of Columbia (“Commission”) directs the Commission’s General Counsel to convene a Virtual Status Conference with the Joint Movants and the Potomac Electric Power Company (“Pepco” or “Company”) to discuss the Joint Emergency Motion to Suspend the Rate Case Proceeding During the Pendency of the COVID-19 Crisis and the procedural posture of this case. The Virtual Status Conference will be held on Thursday, May 14, 2020, beginning at 11:00 a.m. Accordingly, the Joint Emergency Motion to Suspend is held in abeyance.

II. BACKGROUND

2. On April 13, 2020, the Office of the People’s Counsel for the District of Columbia (“OPC”) filed a Joint Emergency Motion to Suspend Rate Case During the Pendency of the COVID-19 Crisis, on behalf of OPC, the Apartment and Office Building Association of Metropolitan Washington, the District of Columbia Government, and the Laborers’ International Union of North America.¹ On April 20, 2020, Pepco filed its Response opposing the Joint Emergency Motion to Suspend.² The AARP DC filed comments in support of the Joint Motion to Suspend.³

¹ *Formal Case No. 1156, In the Matter of the Application of Potomac Electric Power Company for Authority to Implement a Multiyear Rate Plan for Electric Distribution Service in the District of Columbia (“Formal Case No. 1156”), Joint Emergency Motion to Suspend Rate Case During the Pendency of the COVID-19 Crisis, filed April 13, 2020 (“Joint Emergency Motion to Suspend”).*

² *Formal Case No. 1156, Pepco’s Response to the Joint Emergency Motion to Suspend, filed April 20, 2020.*

³ *Formal Case No. 1156, AARP DC’s Support for the Joint Emergency Motion to Suspend, filed April 20, 2020. Comments in support of the Joint Emergency Motion to Suspend were filed on May 1, 2020 by the Ward 3 Dems T & E Task Force and Ann Mladinov (Commissioner ANC 3B01); and on May 4, 2020, by Jerry Malitz (Commissioner ANC 3G05), and ANC Commissioners, Brian Turmail (ANC 3B05), Melissia J. Lane (ANC 3B 03) Mary C. Young (ANC 3 B04), Jackie Blumenthal (ANC 3B02), and Ann L. Mladinov (ANC 3B01) (“ANC Commissioners”). The ANC Commissioners note that because of the COVID-19 crisis they are submitting comments in their individual capacity since they are unable to meet and vote on an official position regarding the emergency*

III. DISCUSSION

3. **Joint Movants.** The Joint Movants' request that the Commission temporarily suspend the procedural schedule in this case because of Mayor Bowser's declaration of a state of emergency and a public health emergency due to the COVID-19 pandemic, the issuance of further Mayoral orders and directives that included adjustments to the District Government's operating status, the closure of schools and non-essential businesses, and a requirement that individuals stay at home and uncertainty as to when the infection rate will slow or the state of emergency will be lifted. The Joint Movants request that the Commission temporarily suspend the *Formal Case No. 1156* procedural schedule until the Mayor lifts the state of emergency and public health emergency, hold regular status calls with the Company and the Parties during the suspension period, and convene within 30 days of the emergency declarations being lifted, a procedural conference to decide how to move forward with the case.

4. **Pepco's Response.** Pepco states that it is continuing to provide safe and reliable electric service within the revised safety and health guidelines.⁴ Pepco contends that because it is sensitive to the current COVID-19 pandemic and its intense impact on our customers and communities, the Company is being proactive in suspending service disconnections, waiving late payment fees, and the reconnecting service for previously disconnected customers, as the Joint Emergency Motion to Suspend acknowledges.⁵ Pepco argues, among other things, that what is at issue, as put forth by the Joint Emergency Motion, is the procedural schedule over the next six to eight months in this proceeding, which is focused on the development and review of the record in this matter and the Commission decision on the Company's Multiyear Rate Plan, not the outcome of the case. Pepco states that the Commission should deny the Joint Motion to Suspend.

5. **AARP's Response.** AARP supports the Joint Emergency Motion to Suspend.⁶

IV. DECISION

6. The Commission is very sensitive to the interests of both District ratepayers and Pepco during this unplanned and unexpected global crisis that has had a tremendous impact on all of us. We acknowledge that the District of Columbia has been under a state of emergency and public health emergency that has altered everyone's way of operating to minimize the spread of the coronavirus. The Commission has continued to conduct operations with most personnel working remotely and some essential personnel engaging in continued field work throughout the District even during this critical time.

7. Under these extraordinary circumstances, we believe it is advantageous to provide the parties an opportunity to more fully discuss the procedural challenges and opportunities they

motion. Additional comments in support of the Joint Emergency Motion were filed on May 7, 2020, by No Pepco DC Coalition.

⁴ *Formal Case No. 1156*, Pepco's Response to the Joint Emergency Motion to Suspend at 2.

⁵ *Formal Case No. 1156*, Pepco's Response to the Joint Emergency Motion to Suspend at 2.

⁶ *Formal Case No. 1156*, AARP's Response to the Joint Emergency Motion to Suspend at 1.

are experiencing so that we can come to a meaningful resolution of this matter. Therefore, we direct the Commission's General Counsel to convene a Virtual Status Conference on Thursday, May 14, 2020, at 11:00 a.m. During the Virtual Status Conference, the parties should be prepared to discuss how this case should proceed. Accordingly, the Commission will hold the Joint Emergency Motion to Suspend in abeyance until we assess any outcomes that may result from the Virtual Status Conference.

THEREFORE, IT IS ORDERED THAT:

8. The Commission's General Counsel will convene a Virtual Status Conference to discuss the procedural posture of this case on Thursday, May 14, 2020, at 11:00 a.m.; and

9. The Joint Emergency Motion to Suspend is **HELD IN ABEYANCE**.

A TRUE COPY:

BY DIRECTION OF THE COMMISSION:

A handwritten signature in black ink, reading "Brinda Westbrook-Sedgwick". The signature is written in a cursive, flowing style.

CHIEF CLERK:

**BRINDA WESTBROOK-SEDGWICK
COMMISSION SECRETARY**