

**ORDER NO. 90500**

In the Matter of the Merger of Exelon Corporation and Constellation Energy Group, Inc.

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BEFORE THE  
PUBLIC SERVICE COMMISSION  
OF MARYLAND

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CASE NO. 9271  
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**Issue Date: February 3, 2023**

**ORDER ON COMPLIANCE WITH MERGER CONDITIONS**

1. On October 6, 2022, the Commission issued a “Notice of Comment Period”, allowing parties and interested persons to respond to the sufficiency of Baltimore Gas & Electric Company’s (“BGE”) March 26, 2021, response to the Commission’s request to demonstrate merger compliance.
2. On November 7, 2022, Staff submitted Comments on BGE’s compliance filing. Staff generally agreed with BGE that it was in compliance with the merger conditions. However, Staff could not determine if BGE’s Chief Executive Officer (currently Carim Khouzami) resides within BGE territory as required by Condition 18.
3. On December 21, 2022, BGE responded to this concern and stated that Mr. Khouzami does, and at all relevant times has, resided within BGE territory. BGE’s By-laws simply failed to include this requirement. BGE stated that its next scheduled Board meeting will occur in February 2023, and it will amend its By-laws to insert the CEO local residency requirement. After it has revised its By-laws, BGE will supplement its compliance filing.

**Commission Decision**

4. The Commission accepts that the Applicants are in compliance with the merger conditions attached to Order No. 84698. The Commission will direct BGE to file a supplement to its compliance filing after its February meeting of its Board of Directors.

**IT IS THEREFORE**, this 3<sup>rd</sup> day of February, in the year of Two Thousand Twenty-Three, by the Public Service Commission of Maryland, **ORDERED**:

(1) that Baltimore Gas & Electric Company shall supplement its compliance filing after its February meeting of its Board of Directors; and

(2) that upon submission of this supplemental compliance filing, Baltimore Gas & Electric Company will be in compliance with the merger conditions attached to Order No. 84698.

*/s/ Jason M. Stanek* \_\_\_\_\_

*/s/ Michael T. Richard* \_\_\_\_\_

*/s/ Anthony J. O'Donnell* \_\_\_\_\_

*/s/ Odogwu Obi Linton* \_\_\_\_\_

*/s/ Patrice M. Bubar* \_\_\_\_\_

Commissioners