

ORDER NO. 90544

Baltimore Gas and Electric Company's
Application for an Electric and Gas Multi-
Year Plan

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BEFORE THE
PUBLIC SERVICE COMMISSION
OF MARYLAND

Case No. 9692

Issue Date: March 15, 2023

On March 15, 2023, the Commission held a pre-hearing conference in the above-styled proceeding to establish a procedural schedule for the proceeding, to consider any petitions to intervene, and to address any other pending preliminary matters. Attorneys representing Baltimore Gas and Electric Company ("BGE"), Maryland Office of People's Counsel ("OPC"), the Commission's Technical Staff ("Staff"), the United States Department of Defense and all other Federal Executive Agencies ("DoD/FEA"), Sierra Club, Montgomery County, Maryland ("Montgomery County"), Prince George's County, Maryland ("Prince George's County"), Walmart Inc. ("Walmart"), Local 410, International Brotherhood of Electrical Workers ("IBEW Local 410"), the Baltimore Washington Construction and Public Employees Laborers' District Council ("BWLDC"), and Interstate Gas Supply, Inc. d/b/a IGS Energy, NRG Energy, Inc., Vistra Corp., and WGL Energy, Inc. (collectively the "Coalition") (collectively, "Parties") appeared at the pre-hearing conference.

At the pre-hearing conference, the Commission adopted a procedural schedule for the matter, except for the schedule for virtual evening public hearings that will be held in BGE's service territory. The Commission granted intervention for all Parties that filed a

Petition to Intervene in this proceeding. For the evening public hearings, BGE, in cooperation with the other Parties, is directed to work with the Executive Secretary to schedule the dates of the virtual public evening hearings to be held in BGE's service territory.

Further, the Commission adopted the discovery procedure proposed by the Parties. Discovery by BGE, OPC, and Staff has already commenced, and discovery for all other Parties commences today. The discovery procedure is as follows:

- (a) Responses to discovery requests served through June 20, 2023, are due within ten (10) business days of service, except discovery related to Supplementary Direct Testimony, including any earlier discovery for which the answers could be affected by the contents of the Supplemental Direct Testimony, in which case answers are due within seven (7) business days, and any objections made within three (3) business days.
- (b) After June 20, 2023, and through July 31, 2023, responses to discovery requests are due within seven (7) business days of service, and any objections made within two (2) business days.
- (c) After July 31, 2023, responses to discovery requests are due within five (5) business days of service, and any objections made within two (2) business days.

(d) The Parties should consult with each other and attempt in good faith to resolve all disputes prior to making an objection and again prior to filing a motion seeking relief from the Commission. In the event Parties are unable to resolve a dispute, the aggrieved party may file a motion for relief within three (3) business days from service of the written objection. The opponent shall respond to the motion within two (2) business days of service of the motion. The motion and response shall be in letter format and shall each be limited in length to three single-spaced pages with a 12-point or greater font. The motion must specify the dates and times of all consultations for the purpose of resolving the dispute. The Parties shall contact the Executive Secretary via email to schedule a hearing, if necessary, and shall provide the Executive Secretary with an electronic copy of the motion and response.

All testimony and discovery shall be served electronically on each of the Parties to avoid delay in receipt. Any testimony and discovery containing confidential information shall be served electronically to each Party that has a signed nondisclosure agreement. Parties shall ensure that the correct email of the person(s) to whom the testimony and discovery should be sent are updated and current on the service list for this matter.

IT IS, THEREFORE, this 15th day of March in the year Two Thousand Twenty-Three, by the Public Service Commission of Maryland, **ORDERED:**

(1) that Parties shall file pleadings in this proceeding as follows:

- (a) BGE shall file its 2022 Annual Information Filing by March 31, 2023;
- (b) BGE shall file supplemental direct testimony on the 2022 Reconciliation by April 14, 2023;
- (c) Parties, excluding BGE, shall file direct testimony by June 20, 2023;
- (d) Parties shall file rebuttal testimony by July 31, 2023;
- (e) Parties shall file surrebuttal testimony by August 25, 2023;
- (f) Parties shall file an initial brief by October 10, 2023;¹ and
- (g) Parties shall file a reply brief by October 20, 2023.

Pleadings shall be submitted to Andrew S. Johnston, Executive Secretary, Maryland Public Service Commission, William Donald Schaefer Tower, 6 St. Paul Street, Baltimore, Maryland 21202.² The Parties are directed to serve all testimony electronically on all Parties no later than 5:00 p.m. on the date of the filing;

(2) that the Parties shall abide by the discovery procedure set forth in this Order;

(3) that evidentiary hearings will be held in a to-be-determined manner, on the dates and times as follows:

- (a) August 30, 2023, beginning 10 minutes after the conclusion of the Administrative Meeting;
- (b) August 31, 2023, beginning at 10:00 a.m.;
- (c) September 5, 2023, beginning at 10:00 a.m.;

¹ Upon further deliberation, the Commission elected to update the briefing dates.

² All Parties shall use the Commission's e-file system available on its website to file its pleadings.

(d) September 6, 2023, beginning 10 minutes after the conclusion of the Administrative Meeting;

(e) September 7, 2023, beginning at 10:00 a.m.; and

(f) September 8, 2023, beginning at 10:00 a.m.

Baltimore Gas and Electric Company will be allowed to present Live Rejoinder Testimony limited to the other Parties' surrebuttal testimony at the evidentiary hearings, as necessary. The Commission reserves the right to revise the hearing schedule, as needed; and

(4) that, after consultation with the other Parties, Baltimore Gas and Electric Company is directed to contact the Executive Secretary to establish the dates and nature of the virtual evening public hearings in this matter.

By Direction of the Commission,

/s/ Andrew S. Johnston

Andrew S. Johnston
Executive Secretary