

ORDER NO. 87287

IN THE MATTER OF THE APPLICATION
 OF BALTIMORE GAS AND ELECTRIC
 COMPANY FOR ADJUSTMENTS TO ITS
 ELECTRIC AND GAS BASE RATES

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BEFORE THE
 PUBLIC SERVICE COMMISSION
 OF MARYLAND

 CASE NO. 9406

Issue Date: December 8, 2015

To: Parties of Record and Interested Persons

On December 8, 2015, the Public Service Commission (“Commission”) held a pre-hearing conference in this proceeding to establish a procedural schedule for this proceeding and to address any other pending preliminary matters. Attorneys representing Baltimore Gas and Electric Company (“BGE” or “Company”), Mayor and City Council of Baltimore (“Baltimore City”), Maryland Energy Administration (“MEA”), Maryland Energy Group and W.R. Grace & Co. (collectively “MEG”), Montgomery County, Maryland (“Montgomery County”), the Office of People’s Counsel (“OPC”), and the Commission’s Technical Staff (“Staff”) appeared at the pre-hearing conference for this matter.

At the pre-hearing conference, the Commission adopted a procedural schedule for this matter, except for a schedule for the evening public hearings. The Company, in cooperation with the other parties, is therefore directed to work with the Executive Secretary to schedule the dates and locations for public evening hearings to be held in the Company’s service territory. The Commission also granted Petitions to Intervene filed

by the following persons: Baltimore City, MEA, MEG, Montgomery County, and United States Department of Defense and all other Federal Executive Agencies (“DOD/FEA”), (collectively, along with BGE, OPC, and Staff, the “Parties”). In addition, the Commission directed Staff on behalf of the parties to file Comparison Charts that reflect the Parties’ positions on rate base and operating income adjustments by March 25, 2016. A separate Chart should be filed for the electric and gas portions of the proceeding.

The procedural schedule, as adopted, requires the extension by 30 days of the initial 150-day suspension period for the tariff revisions filed in this proceeding. Accordingly, pursuant to § 4-204(b)(2)(ii) of the Public Utilities Article, *Annotated Code of Maryland*, the Commission finds that the proceedings cannot be completed within the initial 150-day suspension period and, therefore, extends the initial 150-day suspension period by an additional 30 days, or until June 4, 2016.

Further, the Commission found that a discovery procedure similar to the one adopted in prior rate cases, was appropriate for adoption in this case, with some modifications. The parties indicated that discovery had already commenced prior to the pre-hearing conference. Responses to discovery requests served by February 5, 2016 are due within 10 business days of service, and any objections to discovery requests must be served within five business days. After February 5, 2016 and up to and including March 21, 2016, discovery requests are due within five business days of service, and any objections to discovery requests must be served within three business days of service. After March 21, 2016, responses to discovery requests shall be due within three business days of receipt of the request, with objections served within one business day of the discovery request. Electronic service of discovery requests, responses and documents is

sufficient so long as the recipient acknowledges actual receipt, which the responding party should obtain and maintain, and hard copies shall be made available if electronic service is not successful.

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 business days from service of the written objection. The opponent shall respond to the motion within two business days of service of the motion. The motion and response shall be letter format, and shall each be limited in length to three single-spaced pages with a 12-point or greater font. The letters must specify the dates and times of all consultations for the purpose of resolving the dispute. The parties shall contact the Executive Secretary via phone or email to schedule a hearing, if necessary, and shall provide the Executive Secretary an electronic copy of the motion and response.

IT IS THEREFORE, this 8th day of December, in the year Two Thousand Fifteen by the Public Service Commission of Maryland;

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

- (a) The Company shall file actual financials to replace three months of forecasted data with actual data and Supplemental Direct testimony by January 5, 2016;

- (b) Parties other than the Company shall file Reply/Direct testimony by February 5, 2016;
- (c) Rebuttal testimony shall be filed by March 4, 2016;
- (d) Surrebuttal testimony shall be filed by March 21, 2016;
- (e) Initial briefs shall be filed by April 29, 2016; and
- (f) Reply briefs shall be filed by May 13, 2016.

An original and 17 paper copies, and an electronic copy¹, of the pleadings shall be submitted to David J. Collins, Executive Secretary, Maryland Public Service Commission, William Donald Schaefer Tower, 6 St. Paul Street, Baltimore, Maryland 21202. Five of the paper copies shall be three-hole punched;

(2) That, pursuant to § 4-204(b)(2)(ii) of the Public Utilities Article, *Annotated Code of Maryland*, the initial 150-day suspension period previously ordered in this proceeding is hereby extended by 30 days, or until June 4, 2016;

(3) That the Parties shall abide by the discovery procedure set forth in this Order;

(4) That evidentiary hearings are scheduled as follows:

- (a) March 29, 2016, beginning at 10:00 a.m.;
- (b) March 30, 2016, beginning at beginning at 1:00 p.m. or ½ hour after completion of the Administrative Meeting, whichever is later.;
- (c) March 31, 2016, beginning at 10:00 a.m.;
- (d) April 1, 2016, beginning at 10:00 a.m.;
- (e) April 4, 2013, beginning at 10:00 a.m.;

¹ The Commission encourages persons to submit the electronic copy of a filing through the Commission's E-file system, which is available via the Commission's website.

- (f) April 5, 2016, beginning at 10:00 a.m.;
- (g) April 6, 2016, beginning at beginning at 1:00 p.m. or ½ hour after completion of the Administrative Meeting, whichever is later.;
- (h) April 7, 2016, beginning at 10:00 a.m.;
- (i) April 8, 2016, beginning at 10:00 a.m.;
- (j) April 11, 2016, beginning at 10:00 a.m. (if needed);
- (k) April 12, 2016, beginning at 10:00 a.m. (if needed).

The Commission reserves the right to revise the hearing schedule, as needed;

(5) That Staff, on behalf of the Parties, is directed to file Comparison Charts that reflect the Parties' positions on rate base and operating income adjustments by March 25, 2016. A separate Chart should be filed for the electric and gas portions of the proceeding; and

(6) That BGE is directed to contact the Executive Secretary to establish the dates and locations for the evening public hearings for this matter.

By Direction of the Commission,

/s/ David J. Collins

David J. Collins
Executive Secretary