

ORDER NO. 88553

IN THE MATTER OF THE APPLICATION	*	BEFORE THE
OF POTOMAC ELECTRIC POWER	*	PUBLIC SERVICE COMMISSION
COMPANY FOR ADJUSTMENTS TO ITS	*	OF MARYLAND
RETAIL RATES FOR THE DISTRIBUTION	*	
OF ELECTRIC ENERGY	*	_____
	*	
	*	CASE NO. 9472
_____	*	_____

Issue Date: February 2, 2018

To: Parties of Record and Interested Persons

On January 31, 2018, the Public Service Commission (“Commission”) held a pre-hearing conference to establish a procedural schedule for this proceeding and to address any other pending preliminary matters. Representatives from Potomac Electric Power Company (“Pepco” or “Company”), the Office of People’s Counsel (“OPC”), Apartment and Office Building Association of Metropolitan Washington (“AOBA”), Montgomery County, Maryland (“Montgomery”), Healthcare Council of the National Capital Area (“HCNCA”) and the Commission’s Technical Staff (“Staff”) appeared at the pre-hearing conference for this matter.

At the hearing, the Commission adopted a procedural schedule for the matter, except for a schedule for the evening public hearings. The Commission determined that two public evening hearings will be held prior to the evidentiary hearings. The Company is therefore directed to work with the Executive Secretary to schedule the dates and specific locations for two public evening hearings to be held in the Company’s service territory. The Commission also granted Petitions to Intervene filed by the following persons: U.S. General Services Administration (“GSA”), City of Gaithersburg

(“Gaithersburg”), Montgomery, HCNCA, and AOBA (collectively, along with Pepco, OPC and Staff, the “Parties”). Pursuant to the adopted procedural schedule, the Commission Staff, on behalf of the Parties, shall file a Comparison Chart that reflects the Parties’ positions on rate base and operating income adjustments by June 1, 2018.

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 July 31, 2018.

Further, the Commission found that a discovery procedure proposed by the parties was appropriate and was adopted in this case. Pursuant to Order No. 88521, discovery began on January 5, 2018 for Pepco, OPC and Staff. Discovery commenced immediately on Wednesday, January 31, 2018 for all other parties to this proceeding.

- Responses to discovery requests served by April 13, 2018 are due within ten business days of service, and any objections to discovery requests must be served within five business days.
- After the Update to Actuals is filed on March 8, 2018, responses to discovery requests specifically related to the Update to Actuals are due within five business days of service, and any objections to these specific discovery requests must be served within two business days.

- Responses to discovery requests served after April 13, 2018 and up to May 11, 2018 are due within eight business days of service, and any objections to discovery requests must be served within four business days.
- Responses to discovery requests served after May 11, 2018 and up to May 29, 2018 are due within five business days of service, and any objections to discovery requests must be served within two business days.
- Parties are directed to utilize its best effort to respond to discovery requests after May 29, 2018 within two business days of service, and any objections to discovery requests must be served within one business day.
- 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, or if a specific hard copy is requested by a party.
- 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 2nd day of February, in the year Two Thousand Eighteen by the Public Service Commission of Maryland;

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

- (a) Pepco shall file its Tax Reform Proposal in Case No. 9473 by February 9, 2018;
- (b) Pepco shall file actual financials and Supplemental Direct Testimony, if applicable, by March 8, 2018;
- (c) Parties, other than Pepco, shall file Direct Testimony by April 13, 2018;
- (d) All Parties shall file Rebuttal Testimony by May 11, 2018;
- (e) All Parties shall file Surrebuttal Testimony by May 29, 2018;
- (f) Initial Briefs shall be filed by June 28, 2018; and
- (g) Reply Briefs shall be filed by Noon on July 13, 2018.

An original and 17 paper copies, and an electronic copy,¹ of the pleadings² 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 the Parties shall abide by the discovery procedure set forth in this Order;

(3) That evidentiary hearings are scheduled as follows:

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- (a) June 4, 2018, beginning at 10:00 a.m.;
- (b) June 5, 2018, beginning at 10:00 a.m.;
- (c) June 6, 2018, beginning at 10:00 a.m.;
- (d) June 7, 2018, beginning at 10:00 a.m.;
- (e) June 8, 2018, beginning at 10:00 a.m.;
- (f) June 11, 2018, beginning at 10:00 a.m.;
- (g) June 12, 2018, beginning at 10:00 a.m.; and
- (h) June 13, 2018, beginning at beginning at 1:00 p.m. or ½ hour after completion of the Administrative Meeting, whichever is later and

Pepco may provide live Rejoinder Testimony during its witnesses' appearances at the evidentiary hearings. Live Rejoinder Testimony will also be allowed among the intervening parties, but not to Pepco. The Commission reserves the right to revise the hearing schedule, as needed;

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.

² All pleadings should be submitted in a font size of at least 12-point.

(4) That Staff, on behalf of the Parties, is directed to file a Comparison Chart that reflects the Parties' positions on rate base and operating income adjustments by June 1, 2018;

(5) 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 July 31, 2018.

(6) That Pepco is directed to coordinate with the Commission's Executive Secretary to establish the dates and locations for the evening public hearings in this matter.

By Direction of the Commission,

/s/ David J. Collins

David J. Collins
Executive Secretary