

ORDER NO. 88845

IN THE MATTER OF POTOMAC EDISON COMPANY
D/B/A ALLEGHENY POWER'S ENERGY
EFFICIENCY, CONSERVATION AND DEMAND
RESPONSE PROGRAMS PURSUANT TO THE
EMPOWER MARYLAND ENERGY EFFICIENCY ACT
OF 2008

BEFORE THE
PUBLIC SERVICE COMMISSION
OF MARYLAND

CASE NO. 9153

IN THE MATTER OF BALTIMORE GAS AND
ELECTRIC COMPANY'S ENERGY EFFICIENCY,
CONSERVATION AND DEMAND RESPONSE
PROGRAMS PURSUANT TO THE EMPOWER
MARYLAND ENERGY EFFICIENCY ACT OF 2008

CASE NO. 9154

IN THE MATTER OF POTOMAC ELECTRIC POWER
COMPANY'S ENERGY EFFICIENCY,
CONSERVATION AND DEMAND RESPONSE
PROGRAMS PURSUANT TO THE EMPOWER
MARYLAND ENERGY EFFICIENCY ACT OF 2008

CASE NO. 9155

IN THE MATTER OF DELMARVA POWER & LIGHT
COMPANY'S ENERGY EFFICIENCY,
CONSERVATION AND DEMAND RESPONSE
PROGRAMS PURSUANT TO THE EMPOWER
MARYLAND ENERGY EFFICIENCY ACT OF 2008

CASE NO. 9156

IN THE MATTER OF SOUTHERN MARYLAND
ELECTRIC COOPERATIVE, INC.'S ENERGY
EFFICIENCY, CONSERVATION AND DEMAND
RESPONSE PROGRAMS PURSUANT TO THE
EMPOWER MARYLAND ENERGY EFFICIENCY ACT
OF 2008

CASE NO. 9157

IN THE MATTER OF WASHINGTON GAS LIGHT
COMPANY'S ENERGY EFFICIENCY,
CONSERVATION AND DEMAND RESPONSE
PROGRAMS PURSUANT TO THE EMPOWER
MARYLAND ENERGY EFFICIENCY ACT OF 2008

CASE NO. 9362

September 25, 2018

To: Parties of Record in Case Nos. 9153, 9154, 9155, 9156, 9157, and 9362; Maryland Department of Housing and Community Development; Department of Human Resources, Office of Home Energy Programs; and Interested Persons

On August 27, 2018, Baltimore Gas and Electric Company, Delmarva Power & Light Company, and Potomac Electric Power Company (collectively, “Petitioners”) filed a Request for Rehearing in Case No. 9155, Case No. 9156, and Case No. 9154 (“EmPOWER Maryland cases”) in which the Petitioners asked the Maryland Public Service Commission (“Commission”) to rehear two aspects of Order No. 88783 on the Petitioners’ third and fourth quarter semi-annual reports. The two aspects are:

1. The retroactive requirement that utilities cease, effective July 1, 2018, from using existing printed materials that do not contain the approved logo, which is a date 26 days before the Commission issued the July 27, 2018 Order establishing such requirement to cease use; and
2. The directive that the utilities file in its 2018 Q1 and Q2 plans a request for guidance on how to handle a large inventory of existing printed materials, rather than address this issue in the near-term.

The Petitioners asked the Commission to modify Order 88783 to state that the utilities may continue to use their existing printed materials through December 31, 2018, but may not create new printed materials without the new logo on it as of the date of the Order. Further, the Petitioners indicated that they can modify each of their electronic documents and materials to include the new logo beginning October 1, 2018.

On August 31, 2018, the Commission issued a Notice of Opportunity to Comment on the Request for Rehearing. OPC and Staff each filed comments on September 13, 2018. Although OPC expressed its concerns about the lack of substantiation provided by the Petitioners to support their request, OPC did not object to the modification of the Order sought by the Petitioners.

In its comments, Staff submitted an analysis of the remaining marketing materials in stock for each of the Petitioners as well as compared the marketing funds left in the budget to the Petitioners' estimated costs to reproduce the marketing materials. Although it found that sufficient marketing budget is available to reproduce the materials if so directed by the Commission, Staff recommended the Commission allow the Petitioners to use the existing marketing materials until December 31, 2018. Further, Staff recommended that the Commission direct the Petitioners to modify their electronic documents and materials by October 1, 2018.

The Petitioners did not request relief for the other EmPOWER Maryland utilities. The Commission, after review of the pleadings, concludes that the modifications requested are reasonable and will be extended to all the EmPOWER Maryland utilities. Accordingly, the Commission hereby grants the request for rehearing and modifies Ordered Paragraph (2) of Order 88783 as follows:

That the Utilities are directed to use the new EmPOWER Maryland logo on all electronic documents and materials effective October 1, 2018. The Utilities may continue to use existing printed materials that do not contain the approved new logo until December 31, 2018, but not thereafter. The Utilities shall not create any new printed materials with the old logo or print materials containing the old logo after the date of this letter order.

By Direction of the Commission,

/s/ Terry J. Romine

Terry J. Romine
Executive Secretary