

ORDER NO. 88851

IN THE MATTER OF THE APPLICATION
OF THE POTOMAC EDISON COMPANY
FOR ADJUSTMENTS TO ITS RETAIL
RATES FOR THE DISTRIBUTION OF
ELECTRIC ENERGY

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BEFORE THE
PUBLIC SERVICE COMMISSION
OF MARYLAND

CASE NO. 9490

Issue Date: October 1, 2018

On September 28, 2018, the Public Service Commission (“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,¹ and to address any other pending preliminary matters. Attorneys representing The Potomac Edison Company (“Company”), Office of People’s Counsel (“OPC”), and the Commission’s Technical Staff (“Staff”) (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 evening public hearings that will be held in Company’s service territory in the matter. For the evening public hearings, the Company, in cooperation with the other Parties, is 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.

¹ No petitions to intervene were filed in the matter.

Further, the Commission adopted the discovery procedure proposed by the Parties. Discovery by the Company, OPC, and Staff has already commenced. The discovery procedure is as follows:

- Responses to discovery requests served through October 22, 2018, are due within ten (10) business days of service, and any objections made within three (3) business days.
- After October 22, 2018, and through November 20, 2018, responses to discovery requests are due within seven (7) business days of service, and any objections made within two (2) business days.
- After November 20, 2018, and through December 20, 2018, responses to discovery requests are due within five (5) business days of service, and any objections made within two (2) business days.
- After December 20, 2018, discovery responses are due within three (3) business days of service, and any objections made within two (2) business days.
- 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 (3) business days from service of the written objection. The opponent shall respond to the motion within two (2) business 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 letter 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 1st day of October 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) The Company shall file updates to actuals by October 22, 2018;
- (b) Staff and OPC shall file direct testimony by November 20, 2018, except for OPC witness LanzaLotta's direct testimony which shall be filed by November 27, 2018;
- (c) All Parties shall file rebuttal testimony by December 20, 2018, except rebuttal testimony to

Mr. Lanzalotta's direct testimony shall be filed by December 27, 2018;

- (d) The Parties shall file surrebuttal testimony by January 16, 2019;
- (e) Staff shall file a comparison chart of the Parties' Positions by January 17, 2019;
- (f) All Parties shall file an initial brief by February 13, 2019; and
- (g) All Parties shall file a reply brief by February 27, 2019.

An original and 17 paper copies, and an electronic copy,² of the pleadings shall be submitted to Terry J. Romine, 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. The Parties are directed to serve all testimony electronically on all parties no later than 6:00 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 the Frank O. Heintz Hearing Room, 16th Floor, William Donald Schaefer Tower, 6 St. Paul Street, Baltimore, Maryland, on the dates and times as follows:

- (a) January 22, 2019, beginning at 10:00 a.m.;

² The Commission encourages parties to use the Commission's "e-file" system for filing the electronic copy. Details of the "e-file" system are on the Commission's web page, www.psc.state.md.us. Additionally, five paper copies of the petition shall be three-hole punched. Persons are reminded that if the "e-file" system is used, the original and required paper copies of the filing must be delivered to the Commission's docket room by noon, the next business day after the e-filing is made to retain the filing date of the e-filed document. In the event the paper copies are received after noon of the next business day, the date on which the paper copies are received becomes the official filing date.

- (b) January 23, 2019, beginning at 1:00 p.m.;
- (c) January 24, beginning at 10:00 a.m.;
- (d) January 25, 2019, beginning at 10:00 a.m.;
- (e) January 28, 2019, beginning at 10:00 a.m.;
- (f) January 29, 2019, beginning at 10:00 a.m.; and
- (g) January 30, 2019, beginning at 1:00 p.m.

The 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, pursuant to § 4-204(b)(2)(ii) of the Public Utilities Article, *Annotated Code of Maryland*, the initial 150-day suspension period previously order in this proceeding is hereby extended by 30 days, or March 23, 2019.

(5) That, after consultation with the other Parties, The Potomac Edison Company is directed to contact the Executive Secretary to establish the dates and locations for the evening public hearings in this matter.

By Direction of the Commission,

/s/ Terry J. Romine

Terry J. Romine
Executive Secretary