

ORDER NO. 89565

APPLICATION OF BALTIMORE GAS
AND ELECTRIC COMPANY FOR AN
ELECTRIC AND GAS MULTI-YEAR
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BEFORE THE
PUBLIC SERVICE COMMISSION
OF MARYLAND

CASE NO. 9645

Issue Date: June 12, 2020

On June 12, 2020, 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, and to address any other pending preliminary matters. Attorneys representing Baltimore Gas and Electric Company (“BGE”), Office of People’s Counsel (“OPC”), the Commission’s Technical Staff (“Staff”), the United States Department of Defense (“DoD”), the National Railroad Passenger Corporation (“Amtrak”), Montgomery County, Maryland (“Montgomery County”), Walmart Inc. (“Walmart”), and Maryland Energy Group (MEG) (collectively, “Parties”), as well as Delmarva Power & Light Company and Potomac Electric Power Company, 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 BGE’s service territory. The Commission granted intervention for all Parties that filed a Petition to Intervene in this proceeding, including DoD, Amtrak, Montgomery County, Walmart, and MEG, with the exception of Delmarva Power & Light Company and Potomac

Electric Power Company, for whom intervention was denied. For the evening public hearings, BGE, in cooperation with the other Parties, is directed to work with the Executive Secretary to schedule the dates and nature of the 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:

- Responses to discovery requests served through August 13, 2020, are due within ten (10) business days of service, and any objections made within three (3) business days.
- After August 13, 2020 and through September 10, 2020, responses to discovery requests are due within seven (7) business days of service, and any objections made within two (2) business days.
- After September 10, 2020, responses to discovery requests are due within five (5) business days of service, and any objections made within two (2) business days.
- 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 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 phone or email to schedule a hearing, if necessary, and shall provide the Executive Secretary 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. 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.

Furthermore, at the prehearing conference, BGE agreed to an extension of the proposed tariff effective date of June 14, 2020 for an additional five days (June 19, 2020) to allow for an extension of the suspension period to accommodate the proposed schedule and a Commission Order due date of December 16, 2020. Accordingly, the Commission finds that an extension of the suspension period for an additional 30 days is also required to ensure that the proceedings can be completed within the procedural schedule.

IT IS, THEREFORE, this 12th day of June in the year Two Thousand Twenty, by the Public Service Commission of Maryland,

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

- (a) Parties, excluding BGE, shall file direct testimony by August 14, 2020;
- (b) Parties shall file rebuttal testimony by September 11, 2020, and BGE shall file an Update for

COVID-19 Regulatory Costs;

- (c) Parties shall file surrebuttal testimony by October 7, 2020;
- (d) Parties shall file an initial brief by November 4, 2020; and
- (e) Parties shall file a reply brief by November 12, 2020.

Pleadings shall be submitted to Andrew S. Johnston, Executive Secretary, Maryland Public Service Commission, William Donald Schaefer Tower, 6 St. Paul Street, Baltimore, Maryland 21202.¹ 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) October 13, 2020, beginning at 10:00 a.m.;
- (b) October 14, 2020, beginning at 1:00 p.m.;
- (c) October 15, 2020, beginning at 10:00 a.m.;
- (d) October 16, 2020, beginning at 10:00 a.m.;
- (e) October 19, 2020, beginning at 10:00 a.m.;
- (f) October 20, 2020, beginning at 10:00 a.m.; and
- (g) October 21, 2020, beginning at 1:00 p.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,

¹ All Parties shall use the Commission's e-file system available on its website to file its pleadings.

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

(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 evening public hearings in this matter; and

(5) That, pursuant to Public Utilities Article, *Annotated Code of Maryland*, § 4-204, the tariff revisions filed by Baltimore Gas and Electric Company are hereby suspended for 180 days from June 19, 2020.

By Direction of the Commission,

/s/ Andrew S. Johnston

Andrew S. Johnston
Executive Secretary