

**ORDER NO. 89687**

Potomac Electric Power Company’s  
Application for an Electric Multi-Year Plan

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BEFORE THE  
PUBLIC SERVICE COMMISSION  
OF MARYLAND

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CASE NO. 9655  
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**Issue Date: January 12, 2021**

**REVISED PROCEDURAL SCHEDULE, EVENING PUBLIC COMMENT  
HEARING DATES, AND TARIFF SUSPENSION**

On January 11, 2021, Potomac Electric Power Company (“Pepco”) and the Commission’s Technical Staff (“Staff”) submitted a Joint Request to Extend the Procedural Schedule, Voluntary Extension of the Operation of Law Date and Request for Expedited Treatment (“Joint Request”),<sup>1</sup> requesting that the procedural schedule set out in Order No. 89667 issued on November 23, 2020 be extended five weeks to allow all parties to conduct an appropriate review of the Errata Testimony of Peter Blazunas filed on Monday, January 11, 2021.<sup>2</sup> The Errata Testimony updates the Multi-year Plan (“MYP”) rate design and bill impacts to incorporate material corrections to the forecast billing determinants used in Pepco’s rate design. The Joint Request states that a five-week extension of the procedural schedule would give all parties additional time to understand these changes, including the corrected billing determinant forecast, to conduct

<sup>1</sup> Maillog No. 233256.

<sup>2</sup> Maillog No. 233255.

discovery on these corrections, and to prepare testimony in this matter. The Joint Request includes a revised procedural schedule (including the previously established dates for evening public hearings<sup>3</sup>), rules for discovery, an extended operation of law date, and a request for expedited treatment. The Joint Request further states that the Office of People’s Counsel, Prince George’s County and Montgomery County do not object to the requested extension of the procedural schedule and expedited treatment, and that the Apartment and Office Building Association of Metropolitan Washington does not oppose the request.

The Commission hereby approves the Joint Request.

Accordingly, the revised discovery procedure is as follows:

- Responses to discovery requests served through March 2, 2021, are due within ten (10) business days of service, and any objections shall be made within three (3) business days.
- For discovery related to the errata filed on January 11, 2021, there will be a seven (7) business day turn-around. Objections to errata related discovery shall be made in three (3) business days.
- After March 2, 2021 and through March 31, 2021, responses to discovery requests are due within seven (7) business days of service, and any objections shall be made within two (2) business days.

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<sup>3</sup> Maillog No. 2328256.

- After March 31, 2021, responses to discovery requests are due within five (5) business days of service, and any objections shall be 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 days 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.

Notice is hereby given that the previously-scheduled hearings for the purpose of soliciting comments from the public on February 8, 2021 and March 11, 2021 are cancelled, and that the hearings will now be held on **Monday, March 15, 2021 at 6:00 p.m.** and **Thursday, April 15, 2021 at 6:00 p.m.** via virtual meeting. If you would like to speak at the March 15, 2021 hearing, please send an email to [susan.howard@maryland.gov](mailto:susan.howard@maryland.gov) by **12:00 noon on Friday, March 12, 2021.**<sup>4</sup> If you would like to speak at the April 15, 2021 hearing, please send an email to [susan.howard@maryland.gov](mailto:susan.howard@maryland.gov) by **12:00 noon on Wednesday, April 14, 2021.** Anyone wishing to observe the live stream of the public hearings may do so via the Commission's YouTube channel.<sup>5</sup> Please also direct any questions about the public hearing to [susan.howard@maryland.gov](mailto:susan.howard@maryland.gov).

Written comments on this matter may also be submitted electronically or by first-class mail by **May 5, 2021.** Comments submitted electronically must be submitted through the Commission's Public Comment Dropbox, which can be accessed through the Commission's website at [www.psc.state.md.us](http://www.psc.state.md.us). Instructions for logging into the Public Comment Dropbox are located under the "Tools" section of the Commission's website under the "Make a Public Comment" tab, which can be accessed via the following link: <https://www.psc.state.md.us/make-a-public-comment/>. Commenters using the Public Comment Dropbox for the first-time are required to complete a one-time registration. All comments must include a reference to Case No. 9655. If submitted by first-class mail, comments must be addressed to Andrew S. Johnston, Executive Secretary, Maryland

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<sup>4</sup> The meetings will be held through WebEx and participants will receive an email with the link to the virtual meeting.

<sup>5</sup> <https://www.youtube.com/c/MarylandPSC>.

Public Service Commission, William Donald Schaefer Tower, 6 St. Paul Street, 16th Floor, Baltimore, Maryland 21202.

Pepco is hereby directed to publish a notice of the public comment hearings, including the caption, case number, the time, date, access information for the hearing, and the deadline for written comments as a display advertisement in newspapers in general circulation throughout Pepco's service area at least two times each before **March 15, 2021 and April 15, 2021**.

Pepco is also directed to place on its homepage a notice of the public hearings in a manner that a customer need not click a link to determine the date, time, and purpose of the public hearings or the date by which public comments must be filed. Further, Pepco is directed to employ any routinely used social media platforms, such as Twitter or Facebook, and any other means of communication at its disposal to further notify its customers of the public hearings and the dates by which public comments must be filed.

Furthermore, the Commission finds that an extension of the suspension period to 180 days from December 30, 2020 is required to ensure that the proceedings are completed in an appropriate manner.

**IT IS, THEREFORE,** this 12<sup>th</sup> day of January in the year Two Thousand Twenty One, by the Public Service Commission of Maryland,

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

- (a) Parties, excluding Pepco, shall file direct testimony by March 3, 2021;
- (b) Parties shall file rebuttal testimony by March 31, 2021;

- (c) Parties shall file surrebuttal testimony by April 20, 2021;
- (d) Staff shall file a comparison of positions by April 23, 2021;
- (e) Parties shall file an initial brief by May 21, 2021; and
- (e) Parties shall file a reply brief by June 1, 2021.

The Parties have agreed to make best efforts to provide workpapers when they file direct, rebuttal, and surrebuttal testimony. 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.<sup>6</sup> 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) April 26, 2021, beginning at 10:00 a.m.;
- (b) April 27, 2021, beginning at 10:00 a.m.;
- (c) April 28, 2021, beginning at 10:00 a.m.;
- (d) April 29, 2021, beginning at 10:00 a.m.; and
- (e) April 30, 2021, beginning at 10:00 a.m.

Pepco 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;

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<sup>6</sup> All Parties shall use the Commission's e-file system available on its website to file its pleadings.

(4) That the two virtual evening public hearings in this matter are rescheduled as provided in this Order; and

(5) That, pursuant to Public Utilities Article, *Annotated Code of Maryland*, § 4-204, the tariff revisions filed by Potomac Electric Power Company are hereby suspended for 180 days from December 30, 2020.

By Direction of the Commission,

*/s/ Andrew S. Johnston*

Andrew S. Johnston  
Executive Secretary