



Order No. 81102 in Case No. 9064,<sup>2</sup> and Order No. 82228<sup>3</sup> in Case Nos. 9056 and 9064. At the hearing, Frank Mossburg of Bates White, LLC (“Bid Monitor”) testified on the conduct and results of the SOS solicitation and Drew McAuliffe of Commission Staff (“Staff”) testified on the estimates of bill impacts given the results of the October 31, 2022 SOS bidding.

2. The Bid Monitor testified that the October 31, 2022 bid solicitation was for full requirements service for one product that in response to the solicitation, approximately 3.0 megawatts (“MW”) were bid for every MW needed overall. The Bid Monitor recommended that the Commission accept the results of the October 31, 2022 bid day. The recommendation was based on the following points: (1) the winning price was consistent with broader market conditions; (2) the RFP was sufficiently competitive, with three bidders participating; (3) the RFP was open, fair, and transparent, as all bidders, including utility affiliates, signed the same contract and all bids were judged solely on the basis of price; and (4) the process adhered to procedures laid out in the RFP and Commission Orders.<sup>4</sup>

3. No party offered any testimony rebutting the Bid Monitor’s testimony or commented on the Bid Monitor’s recommendation. Accordingly, the Commission

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<sup>2</sup> Order No. 81102 dated November 8, 2006, *In the Matter of the Competitive Selection of Electricity Supplier/Standard Offer or Default Service for Investor-Owned Utility Small Commercial Customers; and for The Potomac Edison Company d/b/a Allegheny Power’s, Delmarva Power and Light Company’s and Potomac Electric Power Company’s Residential Customers*, Case No. 9064.

<sup>3</sup> Order No. 82228 dated September 12, 2008, *In the Matter of the Commission’s Investigation into Default Service for Type II Standard Offer Service Customers*, Case No. 9056, and *In the Matter of the Competitive Selection of Electricity Supplier/Standard Offer or Default Service for Investor-Owned Utility Small Commercial Customers; and for The Potomac Edison Company d/b/a Allegheny Power’s, Delmarva Power and Light Company’s and Potomac Electric Power Company’s Residential Customers*, Case No. 9064.

<sup>4</sup> Staff Exhibit 3, Direct Testimony of Frank Mossburg of Bates White, LLC on behalf of the Staff of the Public Service Commission of Maryland, dated November 3, 2022.

accepted the results of the October 31, 2022 bid, and took no action on the award of the contract for the bid found to be acceptable.

**IT IS THEREFORE**, this 3rd day of November, in the year Two Thousand Twenty-Two, by the Public Service Commission of Maryland, **ORDERED** that BGE may proceed to finalize the November 2, 2022, contract awarded in accordance with the procedures set forth in the 2022 – 2023 Request for Proposals and applicable Commission Orders.

By Direction of the Commission,

*/s/ Andrew S. Johnston*

Andrew S. Johnston  
Executive Secretary