

ORDER NO. 90588

In The Matter of the Commission's	*	
Investigation into Default Service for Type	*	BEFORE THE
II Standard Offer Service Customers	*	PUBLIC SERVICE COMMISSION
	*	OF MARYLAND
	*	_____
	*	CASE NO. 9056
_____	*	_____
	*	
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	*	CASE NO. 9064
Potomac Edison Company D/B/A	*	_____
Allegheny Power's, Baltimore Gas and	*	
Electric Company's, Delmarva Power and	*	
Light Company's and Potomac Electric	*	
Power Company's Residential Customers	*	
_____	*	_____

Issue Date: April 13, 2023

1. On April 13, 2023, in Case Nos. 9056 and 9064, a hearing was held concerning the conduct and results of the April 10, 2023 Standard Offer Service (“SOS”) solicitations for residential customers and Type I and Type II commercial customers full requirement services by each of the State’s investor-owned electric utilities (individually, “IOU”; and collectively, “IOUs”)¹ pursuant to Order No. 81019 in Case No. 9056,² Order

¹ These IOUs are Baltimore Gas and Electric Company, Delmarva Power & Light Company, Potomac Electric Power Company, and the Potomac Edison Company. The Potomac Edison Company had no Type I in this solicitation.

² Order No. 81019 dated August 28, 2006, *In the Matter of the Commission's Investigation into Default Service for Type II Standard Offer Service Customers*, Case No. 9056. The Commission denied an application for rehearing by Order No. 81093, dated November 2, 2006.

No. 81102 in Case No. 9064,³ and Order No. 82228⁴ 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 solicitations for each IOU and Drew McAuliffe of Commission Staff (“Staff”) testified on the estimates of bill impacts given the results of the April 10, 2023 SOS bidding.

2. The Bid Monitor testified that the April 10, 2023 bid solicitation was for full requirements service for 11 different products among the four IOUs and that in response to the solicitation for the entire Request for Proposals (“RFP”), approximately 2.7 megawatts (“MW”) were bid for every MW needed overall. The Bid Monitor recommended that the Commission accept the results of the April 10, 2023 bid day, noting that the Residential products for Baltimore Gas and Electric Company, Potomac Electric Power Company, The Potomac Edison Company, and Delmarva Power and Light Company failed to attract acceptable offers within the RFP guidelines to fill the supply targets.⁵ The recommendation was based on the following points: (1) the winning prices were consistent with broader market conditions; (2) the RFP was sufficiently competitive, with ten bidders participating in at least one offering, and nine bidders winning a share of supply; (3) the RFP was open, fair, and transparent, as all bidders, including utility affiliates, signed the same contract and all bids were judged

³ 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.

⁴ 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.

⁵ A reserve procurement will be held on April 14, 2023.

solely on the basis of price; and (4) the process adhered to procedures laid out in the RFP and Commission Orders.⁶

3. No party offered any testimony rebutting the Bid Monitor's testimony or commented on the Bid Monitor's recommendation. Accordingly, the Commission accepted the results of the April 10, 2023 bid day absent the unfulfilled Residential product bids for Baltimore Gas and Electric Company, Potomac Electric Power Company, The Potomac Edison Company, and Delmarva Power and Light Company, and took no action on the award of the contracts for the bids found to be acceptable.

4. Per the rules of the RFP and the rejection of various Residential product bids for Baltimore Gas and Electric Company, Potomac Electric Power Company, The Potomac Edison Company, and Delmarva Power and Light Company, a reserve procurement will take place on April 24, 2023.

IT IS THEREFORE, this 13th day of April, in the year Two Thousand Twenty-Three, by the Public Service Commission of Maryland, **ORDERED**:

(1) that the four Maryland investor-owned electric utilities may proceed to finalize the April 13, 2023 contracts awarded in accordance with the procedures set forth in the 2023 – 2023 Request for Proposals and applicable Commission Orders;

(2) that the Commission will conduct a hearing on the reserve procurement results on April 27, 2023, beginning at 2:00 p.m., in the Frank O. Heintz Hearing Room, 16th Floor, William Donald Schaefer Tower, 6 St. Paul Street, Baltimore, Maryland;⁷ and

⁶ Staff Exhibit 1, Direct Testimony of Frank Mossburg of Bates White, LLC on behalf of the Staff of the Public Service Commission of Maryland, dated April 13, 2023.

⁷ As discussed in Order No. 81102 in Case No. 9064, the Commission will conduct a review of confidential and highly commercially sensitive bidder specific data during the process and at the hearings. The public

(3) Baltimore Gas and Electric Company, Potomac Electric Power Company, The Potomac Edison Company, and Delmarva Power and Light Company are directed to supply the retail bill impact of the results from the reserve procurement by 9:00 am on Wednesday, April 26, 2023.

By Direction of the Commission,

/s/ Andrew S. Johnston

Andrew S. Johnston
Executive Secretary

briefing, therefore, will include only the information that can be made public under the provisions of the request for proposals and the full requirements service agreement. Additionally, the Commission will solicit remarks from any of the parties and members of the public following the briefing. To the extent necessitated by confidentiality considerations, the Commission will employ in camera procedures.