

ORDER NO. 90605

In the Matter of the Commission’s
Investigation into Default Service for Type II
Standard Offer Service Customers

BEFORE THE
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 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

CASE NO. 9064

Issue Date: April 28, 2023

1. On April 27, 2023, in Case Nos. 9056 and 9064, a virtual hearing was held concerning the conduct and results of the April 24, 2023 Standard Offer Service (“SOS”) reserve bid day solicitation for residential customers of Baltimore Gas & Electric Company (“BGE”) and The Potomac Edison Company (“PE”), and residential and Type I customer of Potomac Electric Power Company (“Pepco”) and Delmarva Power and Light Company (“DPL”), pursuant to Order No. 81019 in Case No. 9056,¹

¹ 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.

Order No. 81102 in Case No. 9064,² and Order No. 82228³ 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 April 24, 2023 SOS bidding.

2. The Bid Monitor testified that the April 24, 2023 bid solicitation was for full requirements service for one product that in response to the solicitation, approximately 3.2 megawatts (“MW”) were bid for every MW needed for the residential product overall. The Bid Monitor recommended that the Commission accept the results of the April 24, 2023 bid day.⁴ 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 ten bidders participating in at least one offering and six 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 solely on the basis of price; and (4) the process adhered to procedures laid out in the RFP and Commission Orders.⁵

² 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.

³ 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.

⁴ . The implementation of the Price Anomaly Threshold led to the rejection one PE 12-Month Residential winning bid. Per the Phase II settlement agreement in Case No. 8908, the load will initially be purchased in the spot market. However, Staff will convene a meeting of the relevant parties to discuss alternative ways of meeting this supply need. PE will then submit a proposal to the Commission.

⁵ 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 27, 2023.

3. No party offered any testimony rebutting the Bid Monitor's testimony. Accordingly, the Commission accepted the results of the April 24, 2023 bid day, and took no action on the award of the contract for the bids found to be acceptable.

IT IS THEREFORE, this 28th day of April, in the year Two Thousand Twenty-Three, by the Public Service Commission of Maryland, **ORDERED** that BGE, PE, Pepco, and DPL may proceed to finalize the April 27, 2023 contracts 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