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PUBLIC SERVICE COMMISSION

November 18, 2013

David J. Collins
Executive Secretary
Public Service Commission of Maryland
William Donald Schafer Tower
6 St. Paul Street, 16th floor
Baltimore, MD 21202-6806

Re: Case No. 9298, *In the Matter of the Electric
Service Interruptions in the State of Maryland due
to the June 29, 2012 Derecho Storm*

Dear Mr. Collins:

Enclosed please find the Staff Report of the Derecho Vulnerable Individuals Work Group and Response to HB 1159. This Report is filed in response to the requirement of the Commission that a Work Group be constituted to examine how information about the location and identity of vulnerable individuals may be shared between utilities, local emergency personnel and facilities housing vulnerable individuals. It also addresses the expansion of the Work Group work load to include those items addressed in Section 2 of HB 1159.

Please let me know if you have any questions on this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Leslie M Romine".

Leslie Moore Romine
Staff Counsel

cc: Service List in Case No. 9298
Work Group Participants

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PUBLIC SERVICE COMMISSION OF MARYLAND

**STAFF REPORT ON THE DERECHO VULNERABLE
INDIVIDUALS WORK GROUP AND RESPONSE TO HB 1159**

**PREPARED FOR THE PUBLIC SERVICE COMMISSION AND
THE MARYLAND GENERAL ASSEMBLY**

**Maryland Public Service Commission
6 St. Paul Street
Baltimore, Maryland 21202**

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BACKGROUND

On June 29, 2012, a Derecho storm (“Derecho”)¹ struck the larger mid-Atlantic region, causing extensive damage to utility and other infrastructures. Utility response to this event caused much concern among the public and state officials. In some cases, electrical outages lasted more than eight days.² As a result of the utility response to the Derecho, the Maryland Public Service Commission (“Commission”) initiated proceedings to investigate the causes of the service interruptions, as well as determine a path forward for future such events. Commission Case No. 9298, *In the Matter of the Electric Service Interruptions in the State of Maryland due to the June 29, 2012 Derecho Storm*, was established for the purpose of taking testimony from Commission Staff, utility officials, state officials, members of the public and other affected stakeholders. In the Derecho proceeding, the Commission set out to review the performance of Baltimore Gas and Electric Company (“BGE”), Delmarva Power & Light Company (“Delmarva”), Potomac Electric Power Company (“Pepco”) (Delmarva and Pepco together, as “PHI”), The Potomac Edison Company, (“Potomac Edison” or “PE”), Southern Maryland Electric Cooperative, Inc. (“SMECO”), and Choptank Electric Cooperative, Inc. (“Choptank”) (collectively, “the Companies”), during all periods relevant to storm response.

Proceedings were commenced with the filing of Major Outage Event Reports (“Reports”), an after-storm report to the Commission required by Commission regulations. Staff to the Commission reviewed these Reports, and filed comments with the Commission containing its analysis of the information contained within the Reports. Office of People’s Counsel (“OPC”) filed comments, as did numerous members of the public and elected officials.³ The Commission held eight evening public comment hearings, to afford the public an opportunity to provide input into the proceeding, and to inform the Commission of their concerns and personal experiences of the Derecho outages. Several themes emerged from these public comment hearings. One of the concerns expressed by certain local governments centered on their inability to identify and provide support to vulnerable individuals. For example, the Commission noted that “Howard County Executive Ken Ulman expressed, through a representative of his office, frustration with BGE’s refusal to provide outage information so that public safety personnel could check on citizens; Stephen Woerner, BGE’s Chief Operating Officer, acknowledged that while BGE gave officials address ranges or blocks of where outages were going to last the longest, they did not give specific individual customer names and addresses or medical issues. This decision was based on a long-standing policy aimed at protecting customer privacy. Transcript of September 13, 2012 hearing, p. 190-192.”⁴

¹ According to Commission Order No. 85385 (“Order”), a Derecho storm is “a widespread, long-lived wind storm that is associated with a band of rapidly moving showers or thunderstorms.” The damage from a Derecho is “typically in one direction along a relatively straight swath.” A storm event may be classified as a Derecho if the wind damage swath extends more than 240 miles with wind gusts of at least 58 mph along most of its length.

<http://www.spc.noaa.gov/misc/AbtDerechos/derechofacts.htm> , Order p. 1

² Order 2/27/2013

³ Nearly 800 hardcopy pages and nearly 800 emails were also received by the Commission from the public and elected officials. Order, p.7.

⁴ Order, p. 27, fn. 41

As a result of repeatedly hearing these concerns, the Commission stated in its Order:

We find, however, that following the Derecho, communication associated with special medical needs customers was inadequate, especially given the duration of the outages and the dearth of accurate ETRs [Estimated Times of Restoration]. We were disturbed by testimony and accounts of local officials that certain Companies were not willing or able to share information as to certified special medical needs customers experiencing a sustained interruption of electric service with emergency officials. Companies must be able to identify customers in their customer information systems that have been certified as having a serious illness or the need for life support pursuant to COMAR 20.31.03.01, else Companies might be in danger of violating COMAR 20.31.03.01A. The Companies are therefore in a position to provide this information to emergency officials upon request. To the extent Companies interpret COMAR 20.53.07.02 as prohibiting them from disclosing the addresses of customers certified under COMAR 20.31.03.01B, we direct the Companies to take steps to obtain those customers' consent to disclose their names and addresses to emergency management agencies in the event of a sustained interruption of electric service.

Similarly, COMAR 20.31.03.02, Restrictions for Elderly or Handicapped Individuals, provides in §A that "[u]pon receiving notice from the customer that he or an occupant of the premises to which the service is going to be terminated is an elderly or handicapped individual, a Company may terminate service to that premises only in accordance with the provisions of this regulation." The Companies should thus also be maintaining a list of customers who have notified them that they or an occupant of the premises is an elderly or handicapped individual. In the interest of protecting the public, the Companies should then, upon request, provide a list of these customers experiencing a sustained interruption of electric service to emergency management agencies and government emergency responders. Pursuant to COMAR 20.31.01.07 a customer can designate a third person to receive notices of termination of service. Although this regulation is applicable to terminations of service, not interruptions of service, it has a similar purpose – to notify an individual who might be in a position to assist the customer that the customer is in need of assistance.

We find the record in this case to be insufficient with respect to the particular information emergency management personnel might seek from the Companies during emergencies, the format of that information, and the logistics of transmitting that information while safeguarding personal customer information. Commission Staff is directed to form a work group to gather from the appropriate State and local officials and emergency responders the information sought, and the method and format in which the information should be transmitted during emergencies, and to address legitimate concerns about customer privacy. Staff is to prepare a report containing its findings and recommendations from the work group sessions for submission to the Commission by September 30, 2013. Upon review and consideration of the Staff report, we will direct the Companies further with regard to the sharing of customer information with emergency management agencies and government agency responders during Major Outage Events. Other than the certification renewal which occurs on an ad hoc basis, there may not be a means for updating the information the Companies maintain with regard to special medical needs customers. We therefore direct the Companies, in the work group sessions, to propose a means for verifying and updating their special medical needs customer information. Staff should include in its report a

recommendation of how frequently the Companies are to update special medical needs customer information to ensure accuracy of addresses, telephone numbers, and designated third party contact information.⁵

The Commission directed:

(6) That each Company shall participate in work group sessions with Commission Staff to gather from the appropriate state and local officials and emergency responders the information they need, and the method and format in which the information should be transmitted during emergencies; and to address legitimate concerns about customer privacy, and Staff shall submit a report containing its findings and recommendations from the work group sessions, including how frequently the Companies are to update special medical needs customer information, on or before September 30, 2013;⁶

Following the issuance of the Order on February 27, 2013, and during the on-going session of the General Assembly, the legislature considered, and ultimately passed, HB 1159 (Chapter 670).⁷ This legislation extended the role of the work group established by the Commission, as follows:

SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December 1, 2013, the Public Service Commission shall submit a report to the General Assembly, in accordance with § 2-1246 of the State Government Article, on the findings and recommendations of the workgroup the Commission ordered under Order No. 85385 in Case No. 9298 to investigate ways to improve communications associated with special medical needs customers. The charge of the workgroup shall be broadened to include:

- (1) recommendations on how to more effectively respond to electricity outages that affect special medical needs facilities and individuals with special medical needs;
- (2) recommendations on requiring annual performance reports under § 7-213(g) of the Public Utilities Article to include data concerning specific service interruptions and actions to prevent future service interruptions related to special medical needs facilities;
- (3) recommendations on how the Department of Health and Mental Hygiene could address problems caused by outages at its regulated facilities that are not addressed through the use of backup generators; and
- (4) identification of other types of facilities, if any, that should be included as special medical needs facilities.

⁵ Order, p. 26-29. (footnotes omitted.)

⁶ This deadline was later extended by Commission Order, dated September 30, 2013, to November 18, 2013.

⁷ HB 1159 also required the Secretary of Mental Health and Hygiene to provide each electric utility with a list of certain special medical needs facilities and the electric utilities to report on the actions taken to improve the worst performing feeders with special medical needs facilities on them.

CURRENT PRACTICES OF THE COMPANIES⁸

THIS SECTION, DRAFTED BY THE NAMED UTILITIES, DESCRIBES THE UTILITIES' CURRENT PRACTICES IN EACH OF THE IDENTIFIED AREAS.

a. Process of Identifying Vulnerable Individuals ("VI") and the frequency and process of updating this list.

BGE	<ul style="list-style-type: none">• In addition to communicating directly with customers at risk for termination, BGE uses a variety of vehicles to provide customers with information about the special needs program. Such vehicles include, but are not limited to:<ul style="list-style-type: none">○ The Consumer Reference Booklet, which is sent to customers annually;○ The Community Resource Guide (formerly known as the "Purple Book"), which is a collection of resources and information about assistance programs of all kinds – federal, state and local, as well as programs from BGE and non-profit providers;⁹ and○ BGE's web site – bge.com.• To participate in the Special Needs Program, customers with a serious illness and/or a need for life support equipment must have a licensed physician submit the Commission-approved certification forms.• Handicapped customers must submit a copy of their state certification of disability.• Elderly customers must submit proof of age and address.• Customers may contact BGE's Customer Relations Call Center to advise of their special needs condition. A packet is mailed out to the customer that explains the program and states restoration cannot be prioritized during storms or other emergencies. Customers have 30 days to provide the necessary documentation.• Customers must renew their enrollment in BGE's Special Needs Program every 12 months. A renewal letter is sent automatically and customers have 30 days to provide updated documentation.• Customers participating in the Special Needs Program are coded in BGE's Customer Care & Billing (CC&B) system. Customers with a serious illness and/or a need for life support equipment are coded with a 1 while handicapped and elderly customers are coded with a 2.¹⁰ <p>In BGE's Outage Management System only the customers coded with a 1 (serious illness/life support equipment) are identified; however, this identification does not result in any increase to the customers' restoration priority.</p>
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⁸ For a further discussion of Utility practices, see Attachment I providing each Utility's narrative.

⁹ The Community Resource Guide is distributed to customers during numerous outreach events and is also available on bge.com.

¹⁰ Separate codes are used for serious illness/ life support equipment and handicapped/elderly customers because of the different requirements in COMAR 20.31.03.01 and COMAR 20.31.03.02.

PHI	<ul style="list-style-type: none"> • PHI classifies customers as VI based on enrollment in the Emergency Medical Equipment Program (EMEP). • EMEP customer accounts are designated by a specific customer facility code in the Companies' billing systems so an Outage Management System report can identify when VI are without power. • A medical professional must sign a medical certification form which must be renewed by the customer every 120 days. • A reminder letter is sent to customers prior to the expiration of their certification.
Potomac Edison	<ul style="list-style-type: none"> • PE identifies VI customers from medical certificates, inbound and outbound calls with customers, and information from field visits. • Once the VI information is received, it is coded into the Customer Information System ("CIS") system. <p>The VI information in CIS is updated when the customer provides new information.</p>
SMECO	<ul style="list-style-type: none"> • SMECO utilizes the Rights and Remedies certification to capture age, handicap and life support information. Once the information is documented, we update our CIS with a Special Needs code. • One month prior to the expiration of the certification, SMECO sends the customer a new Rights and Remedies certificate with a cover letter advising to renew their certification.
Choptank	<ul style="list-style-type: none"> • To participate in the Critical Medical Needs Program, members with a serious illness and/or a need for life support equipment must have a licensed physician submit the Commission-approved certification forms. • Members may contact Choptank's Member Service Center to advise of their special needs condition. A packet is mailed out to the customer that explains the program and states restoration cannot be prioritized during storms or other emergencies. • Members must renew their enrollment in Choptank's Special Needs Program every 12 months. A renewal letter is sent and members have 30 days to provide updated documentation; if the required certification forms are not returned, Choptank follows-up with a phone call to member. <p>Members participating in the Critical Medical Needs Program are coded in Choptank's CIS. In Choptank's Outage Management System (OMS) members coded with serious illness/life support equipment are identified; however, this identification does not result in any increase to the members' restoration priority.</p>

b. List of Facilities and how this list is derived and maintained.

BGE	<ul style="list-style-type: none"> • Generally, BGE defines critical customers as hospitals, 911 call centers and water and sewage treatment facilities; restoration of critical customers is prioritized during major outage events. • BGE also maintains a list of Managed Care Facilities. BGE's Strategic Customer Planning Group ("SCP") is responsible for developing, managing and maintaining the Managed Care Facilities list. SCP acquires the list of licensed healthcare facilities from the Department of Health and Mental Hygiene website for the state of Maryland. Based on Maryland's database, SCP classifies Managed Care as consisting of the following 5 types of facilities. They are: <ol style="list-style-type: none"> 1. Assisted Living Programs; 2. Comprehensive Care Facilities and Extended Care Facilities Nursing Homes; 3. Freestanding Ambulatory Care Facilities – Freestanding Kidney Dialysis Centers; 4. Home Health Agencies; and 5. Hospice Care Programs. • The Maryland database is filtered for those facilities within BGE's territory. After the list has been filtered, the addresses of the facilities are compared to the addresses in BGE's billing system in order to make sure there is an accurate match to the BGE account. Discrepancies are addressed and the database is updated annually. • The Managed Care Facilities information is coded into BGE's Outage Management System; however, this identification does not result in any increase to the customers' restoration priority.
PHI	<ul style="list-style-type: none"> • Critical Facilities are considered to be hospitals, water treatment plants, nursing homes and schools. • PHI works closely with Emergency Management Agencies ("EMAs") to prioritize the list of critical facilities; the local EMAs are asked to review the list annually and provide feedback for changes based on local priorities. • This list may be provided to PHI during outage events which PHI subsequently reviews to give feedback on the possible Estimated Time of Restoration, system and feeder conditions, as well as any other pertinent information for each facility listed on the report.
Potomac Edison	<ul style="list-style-type: none"> • Critical facilities are considered to be hospitals, water treatment plants, nursing homes and schools. • PE works closely with EMAs to review the applicable critical facility list and obtain feedback for changes based on local priorities.

SMECO	<ul style="list-style-type: none"> At time of service request it is determined if facility is a special medical needs facility. Once the information is documented, we update our CIS system and Outage Management System (“OMS”). We add this facility to a call list that we personally attempt to contact if we have advanced notice of a pending storm which could cause a major outage event. If a facility contacts SMECO and provides new information the call list is updated.
Choptank	Currently, Choptank only has one special needs facility. However, should more enter the service territory, we would document in the CIS system and OMS.

c. Process of contacting/communicating with VI and Facilities during a blue sky event.

BGE	<ul style="list-style-type: none"> BGE utilizes a variety of media to communicate with all of its customers including, but not limited to: <ul style="list-style-type: none"> Press releases, media opportunities and interviews; bge.com; and Social media channels such as Facebook, Twitter, Flickr and YouTube.
PHI	<ul style="list-style-type: none"> During normal or blue sky system conditions, the Companies maintain routine communications with Priority Facilities through Key Account Managers, System Operators, Government Affairs and Emergency Management personnel. Pepco and Delmarva Power do not currently have a formal VI notification process on blue sky days. However, based on the customer facility codes, the OMS can identify when vulnerable customers are without power. Addressing outages for vulnerable customers will take priority over addressing outages for other residential customers during blue sky outage events.
Potomac Edison	For VI customers, see PE’s response to d. For critical customers, see PE’s response to b.
SMECO	<ul style="list-style-type: none"> SMECO’s general practice is to make multiple attempts to contact Special Needs customers and facilities by telephone during extended blue sky outage events.
Choptank	<ul style="list-style-type: none"> Blue sky outage events are displayed on web-site outage map and tagged to member’s account, so if they call in they receive updated information about outage and estimated time of restoration.

d. Process of contacting/communicating with VI and Facilities during a storm.

BGE	<ul style="list-style-type: none"> In the event of forecasted severe weather that could or has resulted in
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	<p>widespread interruptions of service, BGE will communicate to customers enrolled in the Special Needs Program via a dialer message to prepare for the possibility of an extended outage and to have alternative living arrangements in place.</p> <ul style="list-style-type: none"> • A Special Needs “hotline” number may be implemented to provide information regarding shelters and other emergency services. This number would be communicated via dialer message and on BGE’s web site. • During a major outage event, BGE utilizes a variety of media to communicate with all of its customers including, but not limited to: <ul style="list-style-type: none"> ○ Press releases, media opportunities and interviews; ○ Storm Center page on bge.com; and ○ Social media channels such as Facebook, Twitter, Flickr and YouTube.
PHI	<p>During storm events, the Companies communicate with Priority Facilities through Key Account Managers, System Operators, Government Affairs and Emergency Management personnel.</p> <ul style="list-style-type: none"> • Pepco and Delmarva Power place advance robo-calls to customers enrolled in the Emergency Medical Equipment Program (“EMEP”) when a major weather event is predicted to affect their electric service. • If an event occurs without advanced warning, the Companies will make a determination about placing automated out bound calls to customers enrolled in the EMEP (aka) VI. • During restoration, if the status of a VI customers outage changes (ETR, crew assignment), the company will reach out to provide the updated information.
Potomac Edison	<ul style="list-style-type: none"> • Before and during a restoration event, PE reaches out all customers, including VI-identified customers, through the Company website, IVR, tweets, news releases, and statements to the media. <p>In some of these communications, customers with special needs are specifically urged to contact PE in order to obtain more specific information about the storm and what they can do to protect themselves from its effects.</p>
SMECO	<ul style="list-style-type: none"> • SMECO’s general practice is to make multiple attempts to contact Special Needs customers and facilities by telephone during major outage events.
Choptank	<ul style="list-style-type: none"> • Choptank will communicate to members enrolled in the Critical Medical Needs Program (and all members, if time allows) by using a dialer message to prepare for the possibility of an extended outage and to have alternative living arrangements in place.

- e. Format of transmitting information concerning VI and facilities to EMAs during an emergency.

BGE	<ul style="list-style-type: none"> • BGE considers a customer's participation in its Special Needs Program to be confidential. • Therefore, prior to Hurricane Sandy in October 2012, BGE sought and received Commission authorization to provide certain information about customers identified as having a serious illness or needing life support equipment to local government emergency management or first response agencies or officials, upon their request. • As the certification form used to enroll customers in the Special Needs Program was developed as part of a rulemaking and approved by the Commission, BGE believes that any changes to the form to gain customer consent should also be part of a collaborative effort – with the Commission ultimately approving any changes. In this way, the certification forms will have the same language informing customers under what circumstances their information can be released. • During major outage events, BGE staffs state and local Emergency Operations Centers; these BGE liaisons participate in decisions at the state/local level to facilitate the recovery of state/local infrastructure and provide two-way communications between the Emergency Operations Centers and BGE. • During major outage events, BGE staffs state and local Emergency Operations Centers; these BGE liaisons participate in decisions at the state/local level to facilitate the recovery of state/local infrastructure and provide two-way communications between the Emergency Operations Centers and BGE. • Account representatives and engineers from BGE's Strategic Customer Planning Group also staff the Company's Emergency Operations Center, Regional Command Centers (if opened) and other facilities during major outage events. The individuals are in contact with BGE's critical customers to develop restoration and priority schedules and also respond to inquiries from the Company's commercial and industrial customers. • During a major outage event, outage information for the Managed Care Facilities can be retrieved from BGE's Outage Management System via a Business Objects report. • The Business Objects report lists the Managed Care Facilities customers that are currently out of service during an event and this information is conveyed to BGE's Crisis Information Team, which includes employees responsible for governmental affairs as well as customer engagement. <p>The Crisis Information Team uses the report to assist in responding to requests from state and local emergency management agencies regarding the status of service to Managed Care Facilities.</p>
PHI	<ul style="list-style-type: none"> • Pepco and Delmarva Power do not have formal procedures for releasing lists of personal data for vulnerable customers or their

	<p>neighbors to the EMA's. However, during the 2012 Derecho response, in an unprecedented move, Pepco was requested by the state of Maryland to release this information and did so based on advice from PHI's legal team.</p> <p>The information was then communicated via email to Company liaisons at the respective EMA's</p>
Potomac Edison	<ul style="list-style-type: none"> • PE shares information with local consumer aid agencies that have obtained customer permission to allow this exchange of information. • PE also provides global customer information, such as geographic area, with local EMAs, but does not identify customer-specific information on VI.
SMECO	<ul style="list-style-type: none"> • If a hurricane or winter storm is predicted to affect our area and we have sufficient notice, we contact the emergency management agency in each county to verify the contact information for the person responsible for emergency shelters. After a major outage occurs, we contact the person (or agency) responsible for shelters. We update our special needs phone line, and we disseminate shelter information to our contact center and other customer service personnel so that the information is available to any customer who requests it. During major events, we also receive email updates from the counties. • SMECO also contacts Emergency Operation Centers in each county and coordinates having a SMECO employee at each center during critical times of restoration. <p>If state and local officials request information, SMECO will share customer information which has been allowed by the customer. In addition, we supply global customer information on all PSC required major event reports.</p>
Choptank	<ul style="list-style-type: none"> • The county EMA's have their own list of VI and they compare their list to Choptank's outage map. Also, all county EMA's have phone numbers to reach our system control office.

WORK GROUP

In accordance with Legislative directive and Commission Order, the Staff convened a work group of affected stakeholders. Meetings were held on June 10, 2013, July 1, 2013, August 13, 2013 and a final meeting was held on November 5, 2013. Although individual participation in the work group meetings varied, representatives of the utilities included in the Derecho Order, Maryland Department of Aging, Maryland Energy Administration, Office of People's Counsel, Department of Health and Mental Hygiene ("DHMH"), Department of Human Resources ("DHR"), Maryland Emergency Management Agency ("MEMA") and several local emergency responders participated. Issues discussed included the current practices of the utilities covered by the Order in identifying facilities housing vulnerable persons as well as identifying vulnerable individuals not housed in facilities. Utilities highlighted their concerns about disclosing information about vulnerable persons to governmental and other entities, citing privacy laws. Emergency management personnel discussed their concerns about what could be done to help vulnerable individuals, even if they were

identified. Possible solutions to these dilemmas were evaluated and are included in the recommendations section of this Report.

Work group participants are listed on Attachment II.

DISCUSSION OF ISSUES

- I. Identification of Vulnerable Individuals and Facilities Housing Vulnerable Individuals
 - a. Facilities

Facilities that were identified as housing vulnerable individuals include hospitals, assisted living centers, hospice facilities, dialysis facilities and nursing homes. These facilities are generally licensed by DHMH and/or DHR and are known to both emergency and utility personnel.¹¹ In the event of an adverse weather event, contact is made by local emergency personnel with these facilities and the safety of individuals housed in these facilities is ascertained. Both utility and emergency personnel believe these facilities are adequately monitored during such events. Most of these facilities have back-up generator of some nature which can be activated during power outages. Operators of these facilities coordinate with emergency personnel if further assistance is necessary. Utility personnel interface with emergency personnel to address issues connected with prolong power outages. Some safety measures which emergency and utility personnel take include assisting in relocating vulnerable persons to another facility and/or shelter.

Non-medical facilities pose a particular problem for emergency management and utility personnel. These facilities are not easily identifiable to emergency personnel, and may include such places as houses with a small number of vulnerable individuals. Because these facilities are not licensed, their location is generally unknown.

SB 481 established a Task Force, headed by Maryland Energy Administration, on the implementation of tax benefits for emergency preparedness equipment. The issue of expanding back-up power generator for vulnerable individuals and facilities is part of the agenda for this task force.

Another problem identified by the Work Group is the mismatch between address information provided to state agencies for licensing, with the actual premise address of the facility, and address information provided to utilities. Information provided for licensing information may include a single emergency contact for all facilities trading under a given trade name, such as Erickson Retirement Communities, which may not match the premise address of the various individual facilities operating under that trade name. Utility address information, which lists billing addresses, may likewise not match the premise address of a facility, and may further not match the information state licensing agencies have on file.

¹¹ See DHMH Tracking Protocol, below.

b. Individual Vulnerable Persons

Identification and servicing of individual vulnerable persons is more of a problem for both local emergency management personnel and utilities. As seen in the description of the utility procedures set forth above, individual vulnerable persons self-identify through applications filed under COMAR 20.31.03.01 and .02 procedures, which provide for restrictions on terminations of service to elderly or handicapped individuals, and for persons with serious illnesses and on life support. Persons who have serious illnesses or are on life support are required to submit a certificate attested to by a physician, which attestation is utilized to determine the individual's entitlement to special service termination protections. Although the purpose of such certification is termination protection, the form contains the necessary information to extend to all vulnerable persons the ability to ask that their information be shared with local emergency responders before and during a storm. Utilities require periodic re-certification of these individuals' status. Because these certifications are rendered for billing purposes, not all vulnerable individuals seek certification and self-identify. However, the Work Group recommends that these certification forms serve as a vehicle for all vulnerable individuals to make known their status to utilities, which can then, with appropriate permission from the vulnerable individual, share this information with local emergency personnel.

Utilities have legitimate privacy concerns about sharing this information. Under COMAR 20.40.02.01 (B) (5), a utility may not disclose confidential customer information. In addition, utilities have expressed Health Insurance Portability and Accountability Act ("HIPAA") and Fair and Accurate Credit Transactions Act of 2003 ("FACTA") concerns about disclosing information.¹² These laws are complex and may pose barriers to sharing individual ratepayer information with local governments without ratepayer consent. In addition, if individuals do not want to be identified as vulnerable, it is not advisable to provide such identification. Since utilities currently rely on self-identification of vulnerable individuals for termination purposes, one recommendation is to broaden each utility's termination form to include permitting individuals to self-identify as vulnerable, using the termination form as a vehicle for such identification. Although some of these individuals may not be seeking termination protection, it is possible to utilize this consent as a vehicle to share this information with local emergency personnel. SMECO, for example, currently provides a simple "check-the-box" procedure on its termination forms, which should be implemented by all utilities. See Attachment III. If, however, the recommendation to allow a "check-the-box" procedure is adopted, it should be made clear to individuals selecting this option that the utility will not provide the individual with priority for restoration of electric service. The Work Group recommends that the following language be added to the termination of service to vulnerable persons' forms which the utilities currently utilize:

"Check this box if you will permit your contact information to be shared with government emergency personnel prior to or during a major outage event."

Most, if not all, utilities currently require that these forms be submitted on a yearly basis. Because many of these vulnerable individuals re-locate frequently, it is necessary for their information (especially address information) be updated on a timely basis. Requiring re-submission of these

¹² MEMA has expressed assurance that an "emergency exception" to these laws would permit disclosure of such information.

forms on a yearly basis would serve to provide up-to-date locational information for vulnerable individuals.

c. Utility Concerns-Restoration Priorities

Even if the problems identified above are addressed, utility personnel in the Work Group stressed that restoration priorities cannot be set based on the needs of any individual or facility. First, these individuals and facilities are located throughout a utility's service area, and in order to get all facilities back on-line, repairs will have to be made throughout the entire service area, and no benefit of accelerated repairs will be achieved, if current restoration protocols, which are based on operational and engineering requirements, were not changed. Second, the utilities cannot judge which individual or facility, among all individuals or facilities experiencing outages, has a more immediate need for restoration. If, however, through coordination with local emergency personnel, a particular urgency is associated with a given facility, utility personnel have indicated they try to accommodate this urgent need.

Another area of concern identified by utilities is their inability to determine which facilities have emergency generators, and even if a facility is identified as having such a generator, what specific capabilities are provided by the generator. For instance, the facility may have a generator that operates its critical care functions, such as life support, but no generator to operate elevators. The utilities recommend that DHMH strengthen its regulations pertaining to emergency generators, and require all such facilities to possess backup generators. DHMH should regularly enforce this requirement. The Work Group recognizes that this need for emergency generators must be balanced against the utilities' responsibility to provide safe and reliable electric service. The utilities also have a responsibility to identify feeders serving such facilities if in need of remediation, as required by HB 1159, and to address this need.

II. DHMH Facility Tracking Protocol

Regulation of emergency management for facilities housing vulnerable individuals is generally overseen by the Department of Health and Mental Hygiene ("DHMH"). Specific regulations for the following facilities, licensed by DHMH, can be found as referenced:

- Kidney Dialysis- COMAR 10.05.04.14;
- Acute General Hospitals and Special Hospitals- COMAR 10.07.01.28;
- Comprehensive Care Facilities and Extended Care Facilities (Nursing Homes)- COMAR 10.07.02.24;
- Assisted Living Facilities- COMAR 20.07.14.46; and
- Hospice Care Facilities- COMAR 20.07.21.24.

These provisions require general safety and protective measures are undertaken. Specific protocols for local health departments to track vulnerable facilities during power outages have been issued by DHMH. These facilities are tracked on a master spreadsheet maintained by DHMH through the Google Drive. Each local health department has an online spreadsheet with their own facilities. Once activated, the local health departments will make initial contact with all of their licensed facilities and

establish their baseline status in the spreadsheet. Local health departments are responsible for determining how best to stay up-to-date on the status of their facilities. This should involve some form of regular surveillance appropriate to the event.

Licensed facilities are expected to follow their emergency plans during a local emergency, which includes contacting and working with local resources as established in each jurisdiction. Facilities are still required to notify the Office of Health Care Quality (“OHCQ”) of any change from regulations or licensure standards that would require approval –including exceeding bed capacity, power outage, etc.

The information from the locals allows for DHMH to keep better situational awareness over all the licensed facilities listed above. It allows for better coordination with utilities for ETRs, and allows DHMH to triage which facilities need additional assistance or may need to evacuate.

Because the DHMH list of vulnerable facilities differs slightly from that outlined in HB 1159, DHMH recommends that Kidney Dialysis Centers be included in the definition of 'Prioritized Facilities'. It should also be noted that congregate housing services do not fall under DHMH but are under the Department of Aging according to COMAR.

CONCLUSION

The issue of identifying and servicing vulnerable individuals, and the facilities which house them, is complex. The most difficult issue surrounds identification of vulnerable individuals. As can be seen from the table reflecting current utility practices, as well as Attachment I, utilities currently have in place systems to identify those persons who qualify for protection against termination of their electric service, due to certain qualified health issues. In order to obtain this protection, a request for such protection must be submitted to the utility and certified by a physician. Generally, only those vulnerable individuals seeking termination protection will file such requests. There is an entire group of individuals who are not interested in termination protection, but who may also be vulnerable individuals, who are currently not identified in utility databases. In order to provide a vehicle for these vulnerable individuals to be recognized as vulnerable individuals in the event of an emergency, the work group recommends that the form used for termination protection include a “check the box” provision that would allow this second group of vulnerable individuals to self-identify. Not all such individuals will take advantage of this added protection. Some people do not wish to be identified as vulnerable, and others will not want this information shared with emergency management personnel. However, this additional protection can be extended to those who do wish to participate. In addition, the utilities will undertake an educational campaign to make these individuals aware of this option.

A concern raised by the local emergency management personnel is what they will do with the list of vulnerable persons who are identified by this method. Although some local personnel have expressed an interest in being able to reach out individually to each person, other localities have indicated they do not have the resources to do so. Therefore, even with this additional method of identifying vulnerable individuals, depending on resources available, the response to such identification may be unequal from jurisdiction to jurisdiction.

Utilities are concerned that individuals identified as vulnerable may have expectations of special treatment (prioritized restoration, special services, etc.) that are not realistic given the nature of the emergency and the resources available. The public education campaign should include information on what a vulnerable individual can expect from being identified to local personnel.

Facilities housing vulnerable individuals, particularly those which are licensed, are generally known to utilities, DHMH, and local emergency personnel. DHMH and utility protocols provide good interface between state agencies, utilities and the locals. During an emergency, the utility personnel responsible for emergency coordination remain in contact with local personnel, and address their issues. HB 1159 will enhance the identification of facilities, and identification of future changes from existing protocols should be evaluated after use in an emergency.

RECOMMENDATIONS

Consistent with the details of this Work Group report, the Work Group makes two sets of recommendations, the first, General Recommendations, addressed to the requirements of the Commission's Order, and the second, HB 1159 Recommendations, addressed to the requirements of HB 1159.

General Recommendations

- Utilities and state licensing agencies should confer to develop a uniform system for obtaining and referencing premise address information for facilities housing vulnerable persons. A report on the outcome of these discussions should be filed with the Commission for review and approval.
- Forms provided by utilities to individuals seeking protection from termination under the regulations pertaining to such individuals should include a box which the individual can check which would identify the occupant as a vulnerable individual and permit the utility to share the individual's name and address with government agencies. Such forms should be re-submitted at least yearly, to provide up-to-date information on the location of vulnerable individuals.
- Utilities should submit a plan to the Commission addressing how they will undertake an educational outreach to inform all ratepayers of their ability to "check the box" on the form utilized currently for termination restriction, and self-identify as a vulnerable person. This would allow the utilities to pass those individuals' contact information on to local emergency responders both before and during a power outage. Although no guarantees of quicker restoration can be extended to such persons, their identity would be known to local emergency management personnel. Each local emergency management agency could then utilize the information consistent with its mission and capabilities to assist in these situations.
- Depending on which recommendations are accepted by the Commission, and the form in which they are accepted, revisions to COMAR and/or the Public Utility Article of the

Maryland Annotated Code may be necessary. Following the issuance of an order by the Commission after a review of this report, Staff should be instructed to propose such revisions to statutes and regulations, as necessary, to implement the Commission's order.

HB 1159 Recommendations

The Work Group makes the following recommendations, as required by Section 2 of HB 1159:

- (1) recommendations on how to more effectively respond to electricity outages that affect special medical needs facilities and individuals with special medical needs;

The Work Group believes that HB 1159 contains most, if not all, of the requirements on how to more effectively respond to electricity outages that affect special medical needs facilities. The Work Group recommends that the process established under HB 1159, as well as DHMH protocols, and Commission procedures, be allowed to play out during a major storm event to determine if further measures are necessary.

- (2) recommendations on requiring annual performance reports under § 7-213(g) of the Public Utilities Article to include data concerning specific service interruptions and actions to prevent future service interruptions related to special medical needs facilities;

The information required under PUA Sec. 7-213.1(D) will provide additional information to the Commission to evaluate the utilities' efforts to prevent future service interruptions. The Work Group believes that this additional information should be evaluated by the Commission and, after the Commission's review of this information, it may be determined that additional information will assist in evaluating the utilities' efforts. However, since this information has not yet been reported, it is not possible to gauge what additional information will be valuable. If after reviewing the annual reports containing the information required by HB 1159 the Commission determines additional information would assist in formulating its evaluation, the Commission could include these additional requirements in its order evaluating the annual reports.

- (3) recommendations on how the Department of Health and Mental Hygiene could address problems caused by outages at its regulated facilities that are not addressed through the use of backup generators;

The protocols currently in use by DHMH deal with the use or lack of backup generators at regulated facilities. The MEA work group, currently on-going, to address the SB 481 issues on generators, should assist in increasing the number of available generators. The recommendations contained in this report will also help improve communications between DHMH, utilities and local emergency personnel and address the problems caused by the lack of backup generators. No further recommendations are made at this time.

- (4) Identification of other types of facilities, if any, that should be included as special medical needs facilities.

The only additional facilities that should be identified as a special medical needs facility in future legislation are kidney dialysis facilities. These are facilities, which DHMH licenses, are included within its regulatory scope. Kidney Dialysis Centers should be included as 'Prioritized Facilities' under PUA Sec. 7-213.1 (A) (6). Congregate Housing Services are under the purview of the Department of Aging and would need to be submitted separately than lists from DHMH.

ATTACHMENT I

UTILITY OUTLINE OF CURRENT PRACTICES¹³

Baltimore Gas and Electric Company – Vulnerable Customer Lists

BGE maintains two separate and distinct lists of vulnerable customers. The first list – BGE’s Special Needs Program – is comprised of individual residential customers pursuant to COMAR 20.31.03.01 and COMAR 20.31.03.02. The second list – the “managed care” list is comprised of certain healthcare facilities licensed by the State of Maryland’s Department of Health and Mental Hygiene and located within BGE’s service territory.

Special Needs Program

In addition to communicating directly with customers at risk for termination, BGE uses a variety of vehicles to provide customers with information about the special needs program. Such vehicles include, but are not limited to:

- The Consumer Reference Booklet, which is sent to customers annually;
- The Consumer Resource Guide (formerly known as the “Purple Book”), which is a collection of resources and information about assistance programs of all kinds – federal, state and local, as well as programs from BGE and non-profit providers;
- Senior Source, which is a reference guide aimed at the Company’s more mature customers;¹⁴ and
- BGE’s web site – bge.com.

To participate in the Special Needs Program, customers with a serious illness and/or a need for life support equipment must have a licensed physician submit the Commission-approved certification forms. Handicapped customers must submit a copy of their state certification of disability. Elderly customers must submit proof of age and address. Customers may contact BGE’s Customer Relations Call Center to advise of their special needs condition. A packet is mailed out to the customer that explains the program and states restoration cannot be prioritized during storms or other emergencies. Customers have 30 days to provide the necessary documentation.

Customers must renew their enrollment in BGE’s Special Needs Program every 12 months. A renewal letter is sent automatically and customers have 30 days to provide updated documentation.

Customers participating in the Special Needs Program are coded in BGE’s Customer Care & Billing (CC&B) system. Customers with a serious illness and/or a need for life support equipment are coded with a 1 while handicapped and elderly customers are coded with a 2.¹⁵ In BGE’s Outage

¹³ The information provided in this section was taken verbatim from descriptions provided by the utility.

¹⁴ The Consumer Resource Guide and Senior Source are distributed to customers during numerous outreach events and are also available on bge.com.

¹⁵ Separate codes are used for serious illness/ life support equipment and handicapped/elderly customers because of the

Management System only the customers coded with a 1 (serious illness/life support equipment) are identified; however, this identification does not result in any increase to the customers' restoration priority.

In the event of forecasted severe weather that could or has resulted in widespread interruptions of service, BGE will communicate to customers enrolled in the Special Needs Program via a dialer message to prepare for the possibility of an extended outage and to have alternative living arrangements in place. A Special Needs "hotline" number may be implemented to provide information regarding shelters and other emergency services. This number would be communicated via dialer message and on BGE's web site.

BGE considers a customer's participation in its Special Needs Program to be confidential. Therefore, prior to Hurricane Sandy in October 2012, BGE sought and received Commission authorization to provide certain information about customers identified as having a serious illness or needing life support equipment to local government emergency management or first response agencies or officials, upon their request. As the certification form used to enroll customers in the Special Needs Program was developed as part of a rulemaking and approved by the Commission, BGE believes that any changes to the form to gain customer consent should also be part of a collaborative effort – with the Commission ultimately approving any changes. In this way, the certification forms will have the same language informing customers under what circumstances their information can be released.

Managed Care Facilities Program

BGE's Strategic Customer Planning group (SCP) is responsible for developing, managing and maintaining the Managed Care Facilities list. SCP acquires the list of licensed healthcare facilities from the Department of Health and Mental Hygiene website for the state of Maryland. Based on Maryland's database, SCP classifies Managed Care as consisting of the following 5 types of facilities. They are:

- Assisted Living Programs;
- Comprehensive Care Facilities and Extended Care Facilities Nursing Homes;
- Freestanding Ambulatory Care Facilities – Freestanding Kidney Dialysis Centers;
- Home Health Agencies; and
- Hospice Care Programs.

The Maryland database is filtered for those facilities within BGE's territory. After the list has been filtered, the addresses of the facilities are compared to the addresses in BGE's billing system in order to make sure there is an accurate match to the BGE account. Discrepancies are addressed and the database is updated annually.

The Managed Care Facilities information is coded into BGE's Outage Management System. During a weather event customer outage information can be retrieved via a Business Objects report. The Business Objects report lists the Managed Care Facilities customers that are currently out of service during an event and this information is conveyed to BGE's Crisis Information Team,

which includes employees responsible for governmental affairs as well as customer engagement. The Crisis Information Team uses the report to assist in responding to requests from state and local emergency management agencies regarding the status of service to Managed Care Facilities.

SMECO

SMECO's summary of current practices in regards to identifying and updating the CIS and call lists for special medical needs customers and facilities.

1. Current procedure for assembling (identify) list:
 - Vulnerable customers
 - SMECO utilizes the Rights and Remedies certification to capture age, handicap and life support information. Once the information is documented, we update our Customer Information System (CIS) with a Special Needs code.
 - Facilities
 - At time of service request it is determined if facility is a special medical needs facility. Once the information is documented, we update our CIS system and Outage Management System (OMS). We add this facility to a call list that we personally attempt to contact if we have advanced notice of a pending storm which could cause a major outage event.
2. Clearing information for privacy issues:
 - SMECO's Rights and Remedies certificate has a check box asking if the customer will allow SMECO to share their name and address with government agencies. If this box is checked, SMECO will share the customer information; if the box is not checked, we consider the information to be confidential and not available to be released.
3. Current procedures to determine whether vulnerable customer is without power:
 - SMECO's general practice is to make multiple attempts to contact Special Needs customers by telephone during extended outage events.
4. Current procedures for updating lists:
 - Vulnerable Customers
 - One month prior to the expiration of the certification, SMECO sends the customer a new Rights and Remedies certificate with a cover letter advising to renew their certification.
 - Facilities
 - If a facility contacts SMECO and provides new information the call list is updated.

SMECO's processes for interfacing with emergency personnel, local government responders, and local governments are listed below.

1. Current practices on interfacing with local emergency responders:

- If a hurricane or winter storm is predicted to affect our area and we have sufficient notice, we contact the emergency management agency in each county to verify the contact information for the person responsible for emergency shelters. After a major outage occurs, we contact the person (or agency) responsible for shelters. We update our special needs phone line, and we disseminate shelter information to our contact center and other customer service personnel so that the information is available to any customer who requests it. During major events, we also receive email updates from the counties.
 - SMECO also contacts Emergency Operation Centers in each county and coordinates having a SMECO employee at each center during critical times of restoration.
2. Coordination with State and local officials:
- If state and local officials request information, SMECO will share customer information which has been allowed by the customer. In addition, we supply global customer information on all PSC required major event reports.

POTOMAC ELECTRIC POWER COMPANY

Process for Identifying and Addressing Vulnerable Individuals

Potomac Electric Power Company (Pepco) and Delmarva Power & Light Company (Delmarva Power) collectively referred to herein as the Companies, classify customers as Vulnerable Individuals based on their enrollment in the Emergency Medical Equipment Program (EMEP). Customers using emergency medical or life support equipment are provided with advance notification of scheduled outages or events projected to interrupt their electric service. The Companies currently have a total of 1,197 Maryland customers certified in the EMEP; Pepco has 1,001 customers and Delmarva Power has 196 customers.¹⁶ Customers enroll in the EMEP by having a physician or other medical professional complete and sign a Medical Certification Form, which must be renewed by the customer every 120 days.

The Companies disseminate information concerning the EMEP and enrollment procedures through multiple channels. Customers receive an annual bill insert as well as an annual mailing of the At Your Service brochure. Brochures describing the EMEP are also available in Pepco and Delmarva Power walk-in offices. Customers calling the Companies' offices can learn about the EMEP from Customer Service Representatives (CSR) and program details are also available on Pepco's and Delmarva Power's websites.

EMEP customer accounts are designated by a specific customer facility code in both CIS for CSR identification purposes. Based on these customer facility codes, an OMS web report can identify when vulnerable customers are without power.

Addressing outages for vulnerable customers will take priority over addressing outages for other residential customers during blue sky outage events. However, during major

¹⁶ The numbers represent a snapshot as of October 9, 2013 as they are subject to daily changes based on customer actions.

restoration efforts with a significant number of outages, the priority for customers with Medical Certification is superseded by other critical facilities such as hospitals, water treatment plants, nursing homes schools, etc. The Companies restoration priorities are described in detail in the Pepco Holdings, Inc. (PHI) Emergency Operation Plan Section 3.1.

The Companies' databases of vulnerable individuals are updated when customers provide a new certification form, renew an existing certification or choose not to renew. The Companies also send reminder letters to customers prior to the expiration of their certification. Pepco and Delmarva Power place advance robo-calls to customers enrolled in the EMEP when a major weather event is predicted to affect their electric service. Such notification is dependent upon the Companies having sufficient advance notice to do so. The Companies also publish and distribute Weathering the Storm, a brochure designed to help customers prepare for a storm or other kinds of outage events.

Pepco and Delmarva Power do not currently have a formal critical facility notification process, but the Companies work closely with local and state Emergency Management Agencies (EMA) to routinely share information about critical facilities such as hospitals, water treatment plants, nursing homes, schools, etc. The Companies work with local EMAs to prioritize the list of critical facilities for restoration as part of the established "priority code system." The local EMAs are asked to review the list annually and provide feedback for changes based on local and community priorities. This list may be provided to Pepco and Delmarva Power personnel during major outage events which the Companies subsequently review to give feedback on the possible Estimated Time of Restoration (ETR), system and feeder conditions, as well as any other pertinent information for each facility listed on the report. This process is further explained in Section II.

Collaboration with Emergency Personnel and Local Government Responders

Pepco and Delmarva Power interface with emergency personnel and local government responders in several ways using established procedures. The Companies have developed best practices for coordination, communication, and participation with EMAs, local police and fire chiefs associations and the Department of Transportation (DOT) for both storm and non-storm events.

During normal or blue sky system conditions, the Companies maintain routine communications with local emergency personnel and government responders through the relationships established under the Companies' Emergency Services Partnership Programs and also through targeted outreach by the Companies' Emergency Preparedness and Government Affairs personnel, with the specific goal of discussing issues of mutual concern and ways to enhance collaboration during emergency system conditions. An example of this collaboration is the development and implementation of a "priority coding system" with the jurisdictional 911 centers. The priority coding system allows 911 dispatchers and the Companies' dispatchers to use common terminology when describing the threat posed by a downed wire or other life safety issue. The system also enables the Companies and 911 dispatchers to prioritize which downed wires should be responded to first. The system is used in real time operations during both blue sky and major service outage events through the use of a direct telephone line into the regional System Operating center.

The Companies engage in routine blue sky activities to build the communications protocols and relationships necessary to assure joint response during emergency conditions including major service outage events. For example, the Companies participate in and host drills and exercises designed to test regional coordination during events. The Companies participate in post-event review meetings or calls, and the Companies' personnel meet regularly with EMA representatives to discuss various coordination and communications protocols, community restoration priorities, and critical facilities listings. The Companies and EMAs then collaborate with Maryland Emergency Management Agency (MEMA) officials to ensure coordination of critical customer information, outage data, assessment of downed power lines and prioritization of critical issues at a state level.

During major service outage events involving activation of the Companies' regional Incident Management Team (IMT), Pepco and Delmarva Power provide trained and knowledgeable liaisons to activated EMA Emergency Operations Centers (EOC) to ensure efficient coordination and direct communication of jurisdictional concerns with the IMT responsible for overall restoration and resource allocations. Liaisons, in conjunction with their jurisdictional EMA counterparts, are responsible for managing and implementing regional community restoration priorities such as addressing outages to hospitals, water treatment facilities, nursing homes, schools and other locations involving down wires. The list of prioritized facilities is reviewed by Pepco and Delmarva Power personnel and feedback is provided to the EMA Directors regarding the status of each facility on the list. Pepco's and Delmarva Power's critical facility lists, which are reviewed and approved by the EMA Directors on an annual basis, are used to help ensure priority restoration consistent with EMA's expectations.

During major service outages, Pepco and Delmarva Power provide crews to assist the Department of Transportation ("DOT") with identification and removal of downed wires, intersections for clearing and traffic light restoration. DOT requests are managed by Pepco and Delmarva Power personnel within the Regional IMT with direct access to management of field resources to expedite opening roads.

Establishing direct communication between the EMA Directors, DOT and the Companies' personnel enables an effective conduit for reviewing and setting priorities, providing timely updates and offering essential feedback to address concerns vital to EMAs as well as to local and state agencies throughout PHI service areas.

If a jurisdictional EOC is not activated or has not requested Pepco and Delmarva Power Liaisons, additional local emergency responders and governmental requests may be directed to the Companies' Government Affairs personnel, usually by telephone or through email communication.

The most common modes of communication with local government officials is through the use of telephone or email communication to either a priority line (e.g. 911), an embedded liaison at the respective jurisdictional EMA, or through Pepco and Delmarva Power Government Affairs representatives. All requests (with the exception of 911 calls) are

aggregated at the IMT's EOC for review, prioritization, and communication and then circulated to the appropriate local governmental parties.

The Companies maintain a continuous dialog throughout the event with local community representatives through the use of Pepco and Delmarva Power personnel contacts, conference calls and communications channels established with local EMAs. Priorities for restoration established by the local agencies are worked in tandem with the overall system restoration effort, consistent with the restoration priorities defined within the Companies.

Current Privacy Policy and Practices

It is the policy of Pepco and Delmarva Power, in accordance with applicable law, to protect the confidentiality of Personally Identifiable Information (PII) that is under the custody of the Companies, whether residing within the Companies or under control of the Companies through a third party.

PII is defined as any information about an individual maintained by the Companies, including (1) any information that can be used to distinguish or trace an individual's identity, such as name, social security number, date and place of birth, mother's maiden name, or biometric records; and (2) any other information that is linked or linkable to an individual, such as medical, educational, financial, and employment information. At Pepco and Delmarva Power, individual customer information, including energy usage data, is included within the scope of this policy.

Individuals whose PII is covered by this policy include but are not limited to employees, job applicants, contractors, retirees, customers, shareholders, vendor personnel, and any others whose PII is in the custody of the Companies.

PII may be collected, processed, and retained only for legitimate Pepco and Delmarva Power business reasons. This Policy applies to all PII maintained by the Companies; electronic or printed, stored on any medium.

Pepco and Delmarva Power do not have formal procedures for releasing lists of personal data for vulnerable customers or their neighbors. During the 2012 Derecho response, in an unprecedented move, Pepco was requested by the state of Maryland to release this information and did so based on advice from PHI's legal team. The Companies are open to participation in the development of procedures that protect the privacy of residential customers and protect the Companies from any litigation that could arise from releasing this private information.

POTOMAC EDISION

Current procedures for identifying and communicating with vulnerable customers during restoration efforts:

1. Over the course of its day-to day business Potomac Edison utilizes a variety of communications methods, such as inbound and outbound calls, medical certificates, and information from field visits, to capture age, handicap, life support and third party notification information. Once this information is captured, the customer information system is coded accordingly. This customer information is used to identify vulnerable customers as necessary. The system is updated when customers supply new information.
2. Potomac Edison currently shares information with local consumer aid agencies that have obtained customer permission to allow this exchange of information. In the context of a storm, the company willingly shares global customer information, such as geographic area, with local officials, but due to customer confidentiality does not distribute customer-specific information. See section II for more specific details regarding sharing of information with local agencies.
3. Before and during a restoration event, Potomac Edison reaches out to all customers using a wide range of mechanisms such as the Company website, IVR, tweets, news releases and statements to the media, as well as the new storm blog. In some of those general communications – particularly those related to a major storm event like Hurricane Sandy -- customers with special needs are specifically urged to contact the Company in order to obtain more specific information about the storm and what they can do to protect themselves from its effects.

Current procedures for interfacing with emergency personnel and local government responders:

1. Potomac Edison external affairs and corporate communications provide a proactive communications through group email, social media, and press releases as advance notification for a forecasted weather event. The Company compiles group email lists from Emergency Management Agency personnel and elected officials at the local/state level. Additionally, department heads and additional local/state personnel are included as requested. In addition, MEMA includes Potomac Edison in its distribution lists for weather forecast updates and conference call briefings for pending weather events, along with local and statewide EMS agencies.
2. After a weather event begins, Potomac Edison external affairs provides updates through group emails to emergency personnel and local/county government by county/area, providing updates on general outage locations and numbers of customers affected. Depending on the severity of the weather event, Potomac Edison may provide personnel at the local/county Emergency Management Command Center to provide closer communication/interaction with Emergency Management.
3. After the weather event moves through the areas affected, Potomac Edison external affairs and corporate communications continue with press releases and group emails to emergency personnel and local/county elected officials with more specific information regarding areas

affected and number of customers remaining without service, as field assessments and service restorations progress. Global ETRs are provided as field assessments are updated. External affairs also responds to individual inquiries from state and local officials on the status of critical facilities still without power, while making sure the facilities have been identified as critical facilities for Potomac Edison restoration personnel.

4. As the weather event restoration moves to the clean-up mode, Potomac Edison external affairs continues with regular updates via group emails to emergency personnel and local/state officials for the remaining areas affected by the weather event. These activities continue until the last customer is restored.

CHOPTANK ELECTRIC COOPERATIVE

Critical Medical Needs Program

Pursuant to COMAR 20.31.03-Restrictions on Terminations, Choptank Electric Cooperative (Choptank) has a Critical Medical Needs Program (COMAR 20.31.03.01), as well as will identify a members account should an elderly or handicapped individual reside (COMAR 20.31.03.02).

The Critical Medical Needs Program (Program) is a self-identify program, certificated by a licensed physician – on the Commission-approved certification form. The Program will permit a medical needs note, in Choptank's Consumer Information System (CIS), on the member's account. Choptank will attempt to advise member of any planned outages for system maintenance. The Program participants will also be granted an extra 30 days beyond the scheduled date of termination. The Program also requires for the certifications be renewed annually, from the date the member entered the Program. Choptank will annually remind the member with a mailing and, if necessary, a phone call follow-up.

If time permits, before an approaching weather event, Choptank will attempt to make automated phone calls to the entire membership, advising of possible extended power interruptions; however, if we are unable to reach all members – we will give special consideration to reach the Program participants to point out emergency event preparedness and perhaps for them to make alternative living arrangements.

The availability of the Program is communicated by our Member Service Center and the Member Guide found on Choptank's web-site, as well as mailed annually.

As it relates to special needs facilities - Choptank serves one nursing home, also at that site there are approximately 26 independent living residences on the property.

Collaboration with Emergency Personnel and Local Government Responders

Annually, Choptank's contact list is emailed to all EMA's for the 9 counties served. Just recently, Choptank hosted an Emergency Preparedness Summit: Developing Communications Strategies with the EMA's located within Choptank's service territory. From that gathering, we refined some contact information. As our local EMS centers all have a direct phone number that rings in

Choptank's operations center that is for emergency use only. This number is not published to avoid abuse and busy signals. When communicating with local EMS we generally use 911 addresses to report the problems to each other (road culvert washed out, pole/wires down, etc.) All issues are handled via verbal communication over the phone.

Choptank does not arbitrarily send out a copy of this list to the various county EMS units due to privacy concerns.

ATTACHMENT II

WORK GROUP PARTICIPANTS

NAME	COMPANY/AGENCY
Al Norman	MSP/MEMA
Amey L Bayes	Baltimore Gas and Electric Co.
Andrew Ross	Maryland Department of Aging
Beverly A Sikora	Baltimore Gas and Electric Co.
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Shannah T. Fenelus	Pepco Holdings
Stephen Miller	Baltimore Co. EM/BGE
Tami Gardiner	SMECO
Terri Czarski	Office of People's Counsel

ATTACHMENT III

SMECO VULNERABLE INDIVIDUALS FORM

(ON FOLLOWING PAGE)



YOUR RIGHTS AND REMEDIES

You must notify SMECO before the disconnection date on your Notice of Termination if any of the following conditions apply to your account.

1. *If you or an occupant of the service address listed is elderly or handicapped*, fill in the top portion of the certificate (below) and return it before the disconnection date on the Notice of Termination. Upon receiving the certificate, SMECO will try to contact you to discuss arranging an alternate payment plan and possible sources of financial aid.
2. *If you or an occupant of the service address listed is seriously ill or dependent on electrically operated life-support equipment*, the certificate below must be completed by a licensed physician, psychiatrist, or registered psychologist and returned before the disconnection date on the Notice of Termination. Upon receiving the certificate, SMECO will continue electric service for 30 days beyond the scheduled disconnection date. During the 30-day extension, you must make arrangements to pay your electric bill.
3. *If you are unable to pay for service* in accordance with SMECO's normal billing procedure, SMECO will try to work out a payment plan that takes into consideration your financial condition and payment history.
4. *If the "amount due to avoid disconnection" shown does not agree with your records*, call SMECO to review your bills.

Return the form below to SMECO before the disconnection date on the Notice of Termination.

If SMECO accepts your certificate, you may have additional time to pay your electric bill; however, in the event of a power outage, you will not be given priority to have your power restored. Both the certificate below and SMECO's power restoration plan comply with the Maryland Public Service Commission's requirements.

If someone in the household is 65 or older, give the date of birth _____ and complete the top portion of the following certificate.

CERTIFICATION OF SERIOUS ILLNESS OR LIFE SUPPORT

This is to certify that _____ is a resident of:

Street address _____

City, state, zip _____

Daytime phone number _____

Relationship to SMECO customer _____

SMECO account number _____

☐ Check here if you will allow SMECO to share your name and address with government agencies.

THIS SECTION IS TO BE COMPLETED BY A LICENSED PHYSICIAN ONLY

I hereby certify that termination of electric and/or gas service will either (check applicable box or boxes):

☐ aggravate an existing serious illness* or

☐ prevent the use of life support equipment** by the person named above.

(Please print.)

Physician's name _____

License number _____

Title _____

Address _____

Office phone number _____ Fax number _____

E-mail address (optional) _____

Physician's signature _____ Date _____

This medical certificate is only valid for a period not to exceed 30 days.

* "Serious illness" means an illness certifiable by a licensed physician to be such that termination of service during the period of time covered by the certificate would be especially dangerous to the health of the person certified to be seriously ill.

** "Life-support equipment" means any electric or gas energy-using device certified by a licensed physician as being essential to prevent, or to provide relief from, a serious illness or to sustain the life of the customer or an occupant of the premises.

You may bring this form to a SMECO office, fax it to 301-274-4329,

or mail it to SMECO, Attn: Credit & Collections, P.O. Box 1937, Hughesville, MD 20637