

Progress Report

Q: What happened in the rate case?

A: During the evidentiary hearing, the Commission realized that Pepco had not provided adequate evidence to support its case. The Commission Chair requested Pepco to submit new information to support Pepco's proposals. Because Pepco had not met its evidentiary burden, OPC filed a Motion to Dismiss. The Commission denied OPC's Motion and suspended the procedural schedule and allowed Pepco to file additional information on February 21, 2012, to support its case.



Q: What's OPC's Opinion of Pepco's New Information Filed on February 21?

A: Overall, the information filed by Pepco is not responsive to the Commission's request and raise multiple issues and concerns. Specifically:

- Pepco has still failed to present evidentiary support for a coherent plan for improving system reliability that identifies the objectives and benefits of the proposed projects
- Pepco has not provided metrics to allow the Commission to measure how the individual reliability improvement projects will improve service
- A few of Pepco's data responses contradict certain statements in Pepco's earlier-filed testimony
- Pepco has not explained why 56% of the reliability projects started in 2011 are over budget
- Pepco's response fails to distinguish which costs are routine capital expenditures and costs that are proposed to be recovered through the RIM

Q: What happens now?

A: On March 2, OPC filed a motion requesting the Commission allow OPC to conduct additional discovery and hold additional evidentiary hearings regarding the new information filed by Pepco on February 21. The Commission will issue an order soon detailing the extent to which OPC and the other parties will have to conduct further discovery of Pepco, when briefs will be filed and when a decision will be issued.



Q: Why is it important to hold additional evidentiary hearings?

A: In this rate case, Pepco has the burden of persuading the Commission to find in their favor. OPC and the other parties' responsibility is to examine Pepco's evidence, present their own evidence to respond to Pepco's positions and to put forth recommendations for the Commission to consider. The purpose of evidentiary hearings is to provide parties an opportunity to challenge and respond to the evidence which forms the basis of the Commission's decision. In this case, the evidentiary hearings are over. However, because the Commission allowed Pepco to present additional information after the hearings, it is OPC's position that as a matter of law, the Commission must allow all of the parties to examine this new information in the same manner as the other evidence was analyzed.

Q: WHAT CAN CONSUMERS DO?

A: Consumers who want to present their opinion about the rate case to the Commission for consideration can send a letter or e-mail to the Commission:

D.C. Public Service Commission
1333 H Street, NW
2nd Floor, West Tower
Washington, DC 20005
Attn: Formal Case No. 1087; Pepco Rate Case

Or via e-mail at:

bwestbrook@psc.dc.gov

Subject Line: Formal Case No. 1087; Pepco Rate Case