

Council of the District of Columbia
COMMITTEE ON BUSINESS AND ECONOMIC DEVELOPMENT
PERFORMANCE OVERSIGHT HEARING
1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004

February 8, 2023

Commissioners
Office of the Public Service Commission
1325 G Street, NW, Suite 800
Washington, DC 20005

Dear Commissioners:

The Committee on Business and Economic Development (“Committee”) will hold performance oversight hearings on agencies/commissions under its purview between February 8, 2023, and March 1, 2023. The hearing for the Public Service Commission (“PSC” or “Commission”) is scheduled for **Wednesday, March 1, 2023, at 9:30 a.m. via virtual platform**. In preparation for your hearing, the Committee is sending the following questions for your response.

Please submit your responses no later than **5:00 p.m. Wednesday, February 22, 2023**, in Word or Excel format, as applicable, and *please minimize the use of attachments*. Should you need to discuss any of the questions, please contact Derron Parks, Interim Committee Director, at dparks@dccouncil.gov.

Note: For all answers, please consider the impact of the COVID-19 Pandemic when drafting responses. If applicable, please describe what impact, if any, the Pandemic has had on the respective question’s subject matter.

Racial Equity

1. In response to last year’s pre-hearing questions, PSC stated that the Commission held a hearing to review their diverse spend commitments made previously, with the goal to share of how effective PSC was in the achieving the 25% spend goal. Please provide an update on the status of hearing if it was held, spend goal results, whether the 25% spend goal was achieved, and if not, how the Commission plans on achieving this goal.

On July 27, 2022, the Commission held its first annual hearing based on the April 2021 Memoranda of Understanding (MOU) signed off by the Potomac Electric Power Company, Washington Gas Light Company, and Verizon, Washington DC Inc. (collectively, the Utilities). This voluntary MOU encourages the Utilities to award at least 25 percent of their total procurement spend to minority, women, service-disabled veterans, veterans, and/or LGBT-owned businesses as well as not-for-profit companies. Although the Utilities are not limited to District of Columbia-based Diverse Suppliers, there is an expectation that the Utilities make a good faith effort to utilize District of Columbia-based Diverse Suppliers. The

25 percent goal is intended to be the baseline benchmark. Utilities are encouraged to exceed their goals and to explore other avenues of increasing diverse supplier spend.

The Commission’s July 27, 2022 hearing was held at DC Water’s headquarters. During the hearing, senior representatives from each utility discussed its diverse spending including its tracking metrics, diverse spend average, total spend average, and annual growth. The utility representatives were also asked to highlight staff and policy changes to its diversity, outreach efforts, reporting practices, and lessons learned. DCPSC Commissioners presented questions related to progress, improvements, and challenges to diverse supplier procurement.

Each of the Utilities met or exceeded the goal of 25 percent for supplier diversity spending. Each utility had lower District Columbia-based Certified Business Enterprises (CBE) spend.

Potomac Electric Power Company (“Pepco”):

Pepco set a goal of 38 percent for diverse spending and 6 percent for CBE spending.

Pepco reported that during the period from January 1, 2021, through December 31, 2021, it purchased \$321 million in goods and services from diversity-certified suppliers (42 percent of Pepco’s total utility spend), exceeding Pepco’s 38 percent goal.

Additionally, 16 percent of Pepco’s purchases in goods and services came from DC CBE, amounting to approximately \$124.6 million.

**Pepco’s 2021 Diverse Procurement Expenditures
(as % of Total Systemwide Utility Spend)**

Category	Goal (%)	Actual (%)
Diverse Spend	38%	42%
CBE Spend	6%	16%

Washington Gas Light Company (“WGL”):

WGL explained its diverse spending goals through percentages in four categories of spending sources: gas (diverse and CBE) and non-gas (diverse and CBE). The goals for diverse spending in gas were 11 percent and 0.25 percent for CBE spending gas. The goal for diverse non-gas spending was 25 percent and 10 percent for CBE non-gas spending.

WGL exceeded its diverse spending in both gas and non-gas by 15 percent and 28 percent, respectively. However, it was not able to meet its DC-based CBE spending goals.

WGL’s 2021 Diverse Procurement Expenditures

(as % of Category Sourceable Spend)

Category	Goal (%)	Actual (%)
Diverse Spend Gas	11%	15%
CBE Spend Gas	0.25%	0%
Diverse Spend Non-Gas	25%	28%
CBE Spend Non-Gas	10%	7%

Verizon, Washington DC Inc. (“Verizon DC”):

Verizon DC set slightly lower goals for its diverse spending, but met its goals and exceeded the 25 percent goal.

Verizon DC’s goal was to spend 6 percent of its total utility procurement with diverse suppliers and 1 percent of its diversity spend with DC-based CBEs. Verizon DC spent over \$22.3 million (46.88 percent of their total utility procurement) in diverse spending and over \$17.4 million (36.62 percent) of its purchases in goods and services came from DC-based CBEs.

**Verizon DC 2021 Diverse Procurement Expenditures
(as % of Diverse Supplier Spend to Total Utility Procurement)**

Category	Goal (%)	Actual (%)
Diverse Spend	6%	775%
CBE Spend	1%	4844%

2. Are there programs or policies where the PSC has had success in building racial equity during Fiscal Year 2022 and Fiscal Year 2023, to date? If so, which areas and/or programs?
 - a. In response to this question last year, PSC stated that the Commission believes its Memoranda of Understanding with regulated utilities have increased minority participation in utility operations and procurement. PSC stated that the report from the MOU from would be filed in March 2022. What is the status of this report? Please summarize its findings.

The Commission’s revised MOU with the Utilities demonstrates a commitment to building racial equity through the provisions of the MOU that bring visibility and accountability to

workforce development and diversity. The MOU encourages the Utilities to employ a variety of initiatives designed to increase the pool of qualified diverse suppliers of products and services. Pursuant to the MOU, the Utilities set short-term, mid-term, and long-term goals for the utilization of diverse suppliers, where appropriate.

Utilities are expected to not only meet diversity spending goals, but also show intentionality in providing diverse suppliers with the maximum opportunity to participate in and compete for contracts and subcontracts in the Utilities' supply chain for goods and services that support the Utility. This includes, when reasonable, the Utility to encourage and assist its Prime Contractors to develop plans to increase the utilization of Diverse Suppliers as Subcontractors.

Acknowledging that the Utilities' participation is voluntary and dependent upon (and even affected by) the availability of competitive Diverse Suppliers, the Commission asked the Utilities to design diverse supplier programs that ensure that diverse suppliers are encouraged to become potential suppliers of products and services to the Utility. The Utilities' programs are to consider (1) internal program development; (2) external outreach; and (3) subcontracting programs.

In March 2022, each utility submitted an annual report documenting its performance on supplier diversity and workforce development. Below is a summary of the Commission's findings.

Potomac Electric Power Company ("Pepco"):

Internal program development: Pepco has staff dedicated to diversity and diverse business empowerment is a standing agenda item at its supply officer's staff meetings. Additionally, its supplier diversity goals and key initiatives are highlighted during various leadership meetings. Pepco's report emphasizes various ways that it capitalizes on occasions to discuss challenges and progress towards developing ideas for expanding opportunities to diverse suppliers. Pepco has an internal metrics report that helps it reflect on its diverse spending. Its Diversity Equity and Inclusion (DEI) Council meets quarterly to promote a diverse and inclusive workplace through education, awareness, acknowledgment, and celebration of diverse backgrounds. Finally, Pepco participated in a pilot capacity-building program that is designed to grow black-owned businesses in its footprint.

External outreach: Pepco participates in various events that engage diverse suppliers, provides education to diverse suppliers, and supports many advocacy organizations to support efforts to identify qualified prospective local suppliers.

Subcontracting programs: Pepco communicates its commitment to inclusion and diversity to prime suppliers. Pepco encourages prime contractors to subcontract with local and diverse suppliers and its staff assists prime suppliers in seeking local and diverse suppliers. In 2021, Pepco prime contractors subcontracted \$95 million to diverse subcontractors.

Washington Gas Light Company ("WGL"):

WGL reported that the COVID-19 pandemic presented several challenges to its efforts and required it to take new approaches.

Internal program development: WGL reported that its Supplier Diversity Department provided quarterly reports on the status of its supplier diversity program. It began using an analytics program to better forecast and track diverse spending trends. During ad-hoc supplier diversity meetings and training, potential opportunities for diversity and inclusion are discussed. WGL reported that using diverse businesses is a core element of its corporate procurement policy and that it communicates these procurement policies and procedures to employees responsible for the procurement of goods and services at WGL.

External outreach: WGL is an active member of various supplier development councils and local chambers of commerce which help it actively participate in matchmaking and networking events. Furthermore, WGL has an online registration portal for diverse vendors and uses additional online databases and contacts to search for diverse firms that can fulfill its purchasing requests.

Subcontracting programs: WGL utilizes a reporting system that generates metrics for contractors that utilize diverse suppliers as subcontractors.

Verizon Washington, DC Inc (“Verizon DC”):

Internal program development: Verizon’s C-Suite executives are assigned supplier diversity targets and its supplier diversity team educates employees on the benefits of doing business with diverse suppliers. This team has held several internal programs to discuss and promote the importance of supplier diversity, equity, and inclusion.

External outreach: Verizon DC demonstrates its commitment to its social responsibility to drive economic parity for diverse businesses. It took various actions over the past year to promote diverse businesses and has committed to investing in vulnerable communities to bridge the digital divide and prepare for the digital economy of the future.

Subcontracting programs: Verizon DC operates a multi-tier supplier diversity spending program that encourages prime suppliers to honor its commitment to supplier diversity. Verizon DC includes supplier diversity language in its contracts that require prime suppliers to commit to a percentage of spend with diverse suppliers.

3. Consider the demographic data PSC collects, tracks, and evaluates as part of its operations. Does PSC collect information on race and geographic area? If not, why not? Describe how PSC uses this data.

PSC collects demographic data on race in connection with commitments toward increasing workforce and supplier diversity made by Pepco as a result of the Pepco-Exelon merger. PSC also collects data from Washington Gas in connection with a similar commitment it

made when it merged with AltaGas. We will continue to collect this data from Washington Gas until 2028. PSC also collects demographic data on race to the extent that information is included in Equal Employment Opportunity surveys regarding our employees, and as part of the oversight of MOU compliance. Regarding geographic data, PSC collects this type of data in a number of circumstances. We collect information by Ward in connection with our processing of applications for solar facilities and in connection with electric vehicles (EVs). We also collect information by Ward and neighborhood in connection with determining the reliability of electric distribution facilities. Finally, we also collect data by Ward regarding gas leaks and pipeline safety. Recently, we started to receive electric reliability reporting data from Pepco by Ward. Moving forward, we will track the reliability of this data by Ward.

4. Consider one operational data point and one performance data point where PSC collect or could collect information on race. How could the Commission use this data to inform future programmatic decisions?

The data collected from utilities in connection with the MOUs is used to determine their compliance with voluntary commitments regarding minority hiring and efforts to use diverse suppliers. In the future, the Commission could apply consider requiring CBE employment commitments.

5. Describe two areas/programs where the Commission has significant potential to build racial equity.

1. Meaningful Community Engagement

While the Commission has an excellent outreach team, there is significant potential to build upon racial equity in engaging with the communities that we serve. We can improve public participation that would allow the voices and perspectives of current and historically marginalized groups to be included in and integrated into clean energy planning and decision-making. The Commission can further build on its education regarding the energy transition that is happening and its effect on their homes.

2. Policy Decision Making

The Commission recognizes that a transition in the clean energy space not only requires proper and fair administration, but also equity in the creation of a clean energy roadmap. There is significant potential to increase racial equity when considering utility proposals, clean energy proposals, and climate change commitments. The Commission intends to include racial equity considerations when making its decisions.

6. Describe what a racially equitable DC would look like and how the Commission's operations would reflect that achievement.

The Commission's vision is aligned with the Mayor's Office of Racial Equity. A racially equitable DC, simply put, looks like a fair opportunity for everyone. It is achieved when

“race no longer predicts opportunities, outcomes, or the distribution of resources for District residents – particularly for communities of color.”

The Commission’s operations will reflect this vision by intentionally applying a racial equity lens for all of our decisions including internally with our employees, externally with our stakeholders, and economically through our contracts and procurement.

COVID-19 Questions

7. Please discuss the impact of the ongoing COVID-19 Pandemic on PSC staffing levels and employee morale. Please note whether employee burn-out is a concern and, if so, how PSC is addressing it.

PSC’s staffing levels in FY22 and FY23 to date have not been affected by COVID-19. We continue to have about the same number of vacancies as we had before the pandemic. We will always be concerned about the health and safety of our employees, but “burn-out” has not been a problem.

8. Please discuss whether the Commission adjusted or created programming as a result of, or in response to the Pandemic. Additionally, please describe:

During the pandemic and the ensuing public health emergency, the Commission created and updated programming to keep consumers informed of their health and safety related to utility services in the District.

- a. The Commission’s outreach efforts to inform the public of programs and services relating to the Pandemic;

The Commission has taken great pains to stay connected with consumer audiences during the pandemic, both virtually and in person, so that consumers are aware of the myriad of financial assistance programs available to them to keep their services connected without interruption. A key component of these efforts is the establishment of #Here2HelpDC, which is a collaborative consortium of PSC and other District agencies that are aligned to efficiently and comprehensively inform District residents of available programs and resources to address financial hardships relating to the pandemic.

- b. The Commission’s outreach plans for Fiscal Year 2023.

Regarding the Commission’s outreach plans for Fiscal Year 2023, we have resumed our outdoor outreach activities where permissible. We plan to continue our efforts to reach the public through social media, public service announcements, other digital outlets, and increased attendance at outreach events.

The steps the Commission took in FY 2022-2023 (to date) include:

- **Preparing and distributing press releases, advisory notices, and public notices to the Mayor’s offices, Councilmembers, District agencies, stakeholders and the general public.**
- **Preparing and distributing the Commission’s monthly newsletter to the Mayor’s offices, Councilmembers, District agencies, and stakeholders to provide updates on proceedings and consumer initiatives.**
- **Creating a streamlined, seamless, “one click” way for the public to opt-in to the Commission’s newsletter**
- **Participating in monthly Deputy Mayor for Operations and Infrastructure (DMOI) communications meetings to provide updates and coordinate how to effectively communicate with DC residents about consumer services and resources.**
- **Managing several public awareness campaigns to inform District residents about consumer initiatives such as: Winter Ready DC, DC Power Connect, Fight Utility Scams, #Here2HelpDC, Clean Energy campaigns, CBE webinar series, and the 771 area code campaign.**
- **Regularly attending ANC, community, and stakeholder meetings to provide presentations and updates to DC residents about the Commission’s work and consumers services.**
- **Regularly sharing updates, reminders and summaries of open meetings, due dates for comments, public notices, etc. on social media and the PSC website.**
- **Regularly livestreaming public events in lieu of in-person gatherings due to the COVID-19 pandemic and providing recordings of said events on YouTube and the Commission’s website.**
- **Regularly updating the Commission’s website to keep it current, informative, and consumer friendly.**
- **Redesigning Commission reports, brochures, etc. to be more engaging and informative.**
- **Offering training and webinars about new consumer initiatives (e.g., DC Power Connect, #Here2HelpDC) to educate and inform interested individuals.**
- **Participating in the DCSEU Advisory Board and other organizations meetings and conferences to provide presentations and updates about the Commission’s decisions, programs, and consumers services.**

- **Conducting briefings for new Councilmembers and staff on the Commission’s mission, organization, programs, and priority issues.**
 - **Directly engaging with individual residents/consumers via social media to address complaints or other utility-related issues by directing them to Commission resources (e.g., utility complaint form, Office of Consumer Services phone number).**
 - **Utilizing numerous public and internal methods to solicit feedback from consumers and facilitating consumer engagement including: testimony received at community hearings; technical conferences and workshops; substantive Working Groups; oral and written input received from consumers during community education and outreach events; and public engagement with the consumers on social media platforms such as Twitter, Facebook, Instagram, YouTube, and LinkedIn.**
 - **The Commission has increased its use of dedicating landing pages on its website for timely or hot-button issues, such as rate cases or other large campaigns/initiatives. This provides a single place that consolidates all information on the relevant topic (e.g., links to formal cases/orders, deadline reminders, background information) to ensure consumers and stakeholders can find what they are looking for and stay informed.**
9. Please identify any recommendations made to the Public Service Commission and DC Council regarding the response to, and recovery from the Pandemic. Please include any updates or recommendations regarding the lifting of the public utility shut-off moratorium.

In March 2020, the D.C. Council passed the COVID-19 Response Emergency Amendment Act which prevented utilities from disconnecting customers during the Public Health Emergency. On May 4, 2020, the Office of the People’s Counsel filed a Petition asking the Commission to investigate options available to District consumers in dealing with the effects of the Pandemic. On May 28, the Commission launched an inquiry. On June 25, 2020, the Commission posted a request from Councilmember Kenyan McDuffie to investigate whether District consumers could benefit from new or enhanced programs that are aligned with clean energy goals, and help them manage their bills, reduce their energy usage and costs, and provide bill assistance. In March 2021, after a full investigation, the Commission ordered measures to ensure a smooth transition for consumers once the Public Health Emergency concludes. These measures include: requiring utilities to provide at least 45 days’ notice before disconnecting residential service; requiring utilities to provide Deferred Payment Agreements (“DPA”) of at least 12 months to eligible residential customers after the public health emergency ends; and directing the Washington Gas Light Company (“WGL”) to submit a proposal and implementation plan for an Arrearage Management Program (“AMP”). Subsequently, the Commission directed that the income threshold for participation in the electric and gas utility discount programs be increased

temporarily from 60% of the state median income level to 80% of the area median income level.

- a. In last year’s performance oversight responses, you stated that Washington Gas and Light had not lifted its moratorium on shut offs as it was “subject to a Commission requirement that it not resume disconnections until its Call Center comes into compliance with natural gas quality of service standards.” Please provide an update on this status.

In April 2022, the Commission granted WGL the authority to resume disconnections after WGL had demonstrated that it met the call center performance standards for the first quarter of CY 2022. WGL is also required to file monthly reports on the number of customers who have been disconnected and who have entered into payment plans. The PSC will continue to monitor the monthly reports filed by WGL.

General Questions

10. Please provide a list of PSC’s current Commissioners and note any vacancies. For each Commissioner, please provide the following:

- a. Name;
- b. Whether they are a District resident and if so, the Ward in which they live; an
- c. The dates when their term started and will expire.

Emile Thompson, Chairman

District resident, Ward 4
Dates: 12/2/21 – 6/30/26

Richard Beverly, Commissioner

District resident, Ward 1
Dates: 12/20/16 – 6/30/24

Theodore Trabue, Commissioner

District resident, Ward 4
Dates: 12/20/22 – 6/30/26

11. Please provide a current organizational chart for the Commission, including the number of vacant, frozen, and filled full-time equivalents (“FTEs”) in each division or subdivision. Include the names and titles of all senior personnel, and note the date when the information was collected.

See Attachment 11.

Additionally, please provide the following:

- a. An explanation of the roles and responsibilities of each division and subdivision, including specific programs or projects administered by each;

See Attachment 11a.

- b. A narrative explanation of any changes to the organizational chart made during the previous year; and

The Commission received funding for an additional position in FY 2023: Consumer Outreach Specialist, CS-11 (OCS), will be hired in the near future.

In addition, vacant positions were reorganized to form the Office of Climate Action (OCA) to focus on efforts to meet our climate change goals. The staff of the OCA will work with other units to coordinate dashboard trackers for GHG emissions, Annual RPS Reports, Biennial Fuel Mix Reports, EEDR programs, other grid modernization initiatives, and various Working Group efforts, including RPS project interconnection efforts. The OCA will consist of the following personnel:

- Chief, Climate Office, MS-15 (currently recruiting);
 - Sustainability Officer (filled);
 - Sr. Environmental Economist, CS-14, posting closes 2/20/23; and
 - Environmental Economist, CS-13 (filled).
- c. A description of any organizational adjustments made in response to or as a result of the COVID-19 Pandemic.

As a result of the pandemic, employees were provided with equipment/resources necessary to work from home to ensure that their home offices are as successful as their offices at work. Although we are back at our worksite, meetings are hybrid and take place either in person or over Teams and Zoom.

The Office of Consumer Services is increasing its number of community events and continues to interact with residents virtually and recently in-person, partnering with other agencies raising awareness about utility relief, and distributing Commission-branded literature and promotional materials.

The Office of Human Resources helps to keep employees engaged virtually via training and in-office wellness events, an employee appreciation event, new employee virtual walkarounds, and other events.

12. Provide a current Schedule A for the Commission, which identifies each position by program and activity, with the employee's title/position, salary, fringe benefits, and length of time with the PSC, and note the date when the information was collected. The Schedule A should also indicate whether the position is continuing/term/temporary/contract and whether it is vacant or frozen. Please separate salary and fringe and indicate whether the position must be filled to comply with federal or local law.

See Attachment 12.

13. Please list all employees detailed to or from the Commission, if any. For each employee identified, please provide the name of the agency from/to which the employee is detailed, the reason for the detail, the date of the detail, and the employee's projected date of return.

None.

14. Please provide the Committee with the following:

- a. A list of all employees who received or retained cellphones, personal digital assistants, or similar communications devices at Commission expense in Fiscal Year 2022 and Fiscal Year 2023, to date;
- b. A list of all vehicles owned, leased, or otherwise used by the Commission and to whom the vehicle is assigned, as well as a description of all vehicle accidents involving the Commission's vehicles in Fiscal Year 2022 and Fiscal Year 2023, to date;
- c. A list of travel expenses, if any, arranged by employee for Fiscal Year 2022 and Fiscal Year 2023, to date, including the justification for travel;
- d. A list of all employee bonuses or special award pay, raises, and step increases granted in Fiscal Year 2022 and Fiscal Year 2023, to date; and
- e. A list of the total overtime and workers' compensation payments paid in Fiscal Year 2022 and Fiscal Year 2023, to date, including the number of employees who received workers' compensation payments, in what amounts, and for what reasons.

See Attachment 14a.

See Attachment 14b.

See Attachment 14c.

See Attachment 14d.

See Attachment 14e.

15. For Fiscal Year 2022 and Fiscal Year 2023, to date, what was the total cost for mobile communications and devices, including equipment and service plans?

Fiscal Year 2022 Total Cost - \$30,994.68

Fiscal Year 2023 Total Cost (to date) - \$4,793.68

16. For Fiscal Year 2022 and Fiscal Year 2023, to date, please list all intra-District transfers to or from the Commission. For each transfer, include the following details:

- a. Buyer agency;
- b. Seller agency;
- c. The program and activity codes and names in the sending and receiving agencies' budgets;
- d. Funding source (i.e. local, federal, SPR);
- e. Description of memoranda of understanding ("MOU") services;
- f. Total MOU amount, including any modifications;
- g. Whether a letter of intent was executed for Fiscal Year 2022 and Fiscal Year 2023, to date, and if so, on what date,
- h. The date of the submitted request from or to the other agency for the transfer;
- i. The dates of signatures on the relevant MOU; and
- j. The date funds were transferred to the receiving agency.

See Attachment 16.

17. Please list any additional intra-district transfers planned for Fiscal Year 2023, including the anticipated agency(ies), purposes, and dollar amounts.

The Commission is currently not anticipating any additional intra-district transfers in FY 2023.

18. For Fiscal Year 2022 and Fiscal Year 2023, to date, please identify any special purpose revenue funds maintained, used, or available for use by the Commission. For each fund identified, provide:

- a. The revenue source name and code;
- b. The source of funding;
- c. A description of the program that generates the funds;
- d. The amount of funds generated by each source or program;
- e. Expenditures of funds, including the purpose of each expenditure; and
- f. The current fund balance.

See Attachment 18.

19. For Fiscal Year 2022 and Fiscal Year 2023, to date, please list any purchase card spending by the Commission, the employee making each expenditure, and the general purpose for each expenditure. Please indicate whether the spending was necessary due to the COVID-19 Pandemic.

See Attachment 19.

NOTE: THE PRE-HEARING QUESTIONS OMIT QUESTIONS 20 AND 21.

22. Please list all MOU entered into by the Commission during Fiscal Year 2022 and Fiscal Year 2023, to date, as well as any MOU currently in force. For each, indicate the date on which the MOU was entered and the termination date.

See Attachment 22.

23. Please list the ways, other than MOU, in which the Commission collaborated with analogous agencies in other jurisdictions, with federal agencies, or with non-governmental organizations in Fiscal Year 2022 and Fiscal Year 2023, to date.

The Commission is a member of the National Association of Regulatory Utility Commissioners (NARUC), the Mid-Atlantic Conference of Regulatory Utility Commissioners (MACRUC) and the Organization of PJM States (OPSI). Through these organizations, we collaborate with other state and federal regulatory Commissions to address common public policy issues. In addition, the Commission works with the Department of Energy and Environment (DOEE) to implement the following discount programs for utilities: The Residential Aid Discount for electric service, the Residential Essential Service discount for natural gas service, and the Lifeline Program for telephone service. Further, the Commission collaborates on a regular basis with the Office of the People's Counsel, DOEE, the DC Sustainable Energy Utility and other agencies on various outreach projects, such as our #Here2Help initiative.

24. Please identify all recommendations made by the Office of the Inspector General, D.C. Auditor, or other federal or local oversight entities during the previous 3 years. Please provide an update on actions taken to address these recommendations. If the recommendation has not yet been implemented, please explain why.

None.

25. Please list all capital projects in the financial plan and provide an update on all capital projects under the Commission's purview in Fiscal Year 2022 and Fiscal Year 2023, to date, including the amount budgeted, actual dollars spent, and any remaining balances. In addition, please provide the following:
- a. An update on all capital projects begun, in progress, or concluded in Fiscal Year 2021, Fiscal Year 2022, and Fiscal Year 2023, to date, including the amount budgeted, actual dollars spent, and any remaining balances;
 - b. An update on all capital projects planned for Fiscal Year 2023 through Fiscal Year 2027;
 - c. Whether the capital projects begun, in progress, or concluded in Fiscal Year 2021, Fiscal Year 2022, and Fiscal Year 2023, to date, have an impact on the operating budget of the Commission. If so, please provide an accounting of such impact.
 - d. Please indicate whether the COVID-19 Pandemic impacted those planned projects.

The Commission has no capital projects.

26. Please provide a table showing the Commission’s Council-approved original budget, revised budget (after reprogrammings, etc.), and actual spending, by program and activity, for Fiscal Years 2021, 2022, and the first quarter of 2023. For each program and activity, please include the total budget and break down the budget by funding source (federal, local, special purpose revenue, or intra-district funds).
- a. Include any over- or under-spending and explain any variances between fiscal year appropriations and actual expenditures for Fiscal Years 2021 and 2022 for each program and activity code.
 - b. Attach the cost allocation plans for Fiscal Year 2021 and Fiscal Year 2022.
 - c. In Fiscal Year 2021 or Fiscal Year 2022, did the Commission have any federal funds that lapsed? If so, please provide a full accounting, including amounts, fund sources (e.g. grant name), and reason the funds were not fully expended.

See Attachment 26.

27. Please provide a list of all budget enhancement requests (including capital improvement needs) for Fiscal Year 2022 and Fiscal Year 2023, to date. For each, include a description of the need and the amount of funding requested.

See Attachment 27.

28. Please list, in chronological order, every reprogramming in Fiscal Year 2022 and Fiscal Year 2023, to date, which had an impact on PSC, including those which moved funds into, out of, and within the Commission. For each reprogramming, please list the date, amount, rationale, and reprogramming number, and indicate whether a reprogramming impacted PSC’s ability to carry out a directive or recommendation of the Committee. Please include the revised, final budget for the Commission after reprogramming for Fiscal Year 2022 and Fiscal Year 2023, to date.

See Attachment 28.

29. Please list each grant or sub-grant received by the Commission in Fiscal Year 2022 and Fiscal Year 2023, to date. List the date, amount, source, and purpose of the grant or sub-grant received, and amount expended. Additionally, provide the following:
- a. Whether any FTEs are dependent on grant funding, and, if so, how many; and
 - b. A description of the terms of this funding, and, if it is set to expire, what plans, if any, are in place to continue funding.

See Attachment 29.

30. Please describe any grant Commission is, or is considering, applying for in Fiscal Year 2023.

The Commission applies for and receives an annual grant from the U.S. Department of Transportation for the Pipeline Safety program in the District. The grant funds, in the

range of \$500,000 (requiring a match of 20%), cover the period from January 1 through December 31 each year and fund approximately 4.5 FTEs. The agency has applied for the CY 2023 grant. No other federal grants are anticipated in FY 2022.

31. Please list each contract, procurement, and lease, and grant (“contract”) awarded, executed, extended, or option years exercised by the Commission during Fiscal Year 2022 and Fiscal Year 2023, to date. For each contract, please provide the following information, where applicable:
- a. The name of the contracting party;
 - b. The contract number;
 - c. The contract type (e.g. HCA, BPA, Sole Source, sing/exempt from competition award, etc.)
 - d. The nature of the contract, including the end product or service;
 - e. The contract’s outputs and deliverables;
 - f. The status of deliverables;
 - g. The dollar amount of the contract, including amount budgeted and amount actually spent;
 - h. The term of the contract;
 - i. Whether the contract was competitively bid;
 - j. Subcontracting status (i.e. Did the Contractor sub any provision of the goods and/or services with another vendor);
 - k. The Certified Business Enterprise status;
 - l. The division and activity within PSC utilizing the goods and/or services;
 - m. The name of the PSC’s contract monitor and the results of any monitoring activity; and
 - n. The funding source.

See Attachment 31.

32. Please list all pending lawsuits that name the Commission as a party. Identify which cases on the list are lawsuits that potentially expose the District to significant financial liability or result in a change to Commission practices, and describe the current status of the litigation. Please provide the extent of each claim, regardless of its likelihood of success. For those identified, please include an explanation about the issues involved in each case.

None.

33. Please list all settlements entered into by the Commission or by the District on behalf of the Commission in Fiscal Year 2022 and Fiscal Year 2023, to date, and provide the parties’ names, the amount of the settlement, and if related to litigation, the case name and a brief description of the case. If unrelated to litigation, please describe the underlying issue or reason for the settlement (e.g. administrative complaint, etc.).

None.

34. Please provide the total number of administrative complaints or grievances filed against PSC in Fiscal Year 2022 and Fiscal Year 2023, to date, broken down by source. Please describe the process utilized to respond to any complaints and grievances received and any changes to PSC policies or procedures that have resulted from complaints or grievances. For any complaints or grievances that resolved in Fiscal Year 2022 and Fiscal Year 2023, to date, describe the resolution.

The Commission had no administrative complaints or grievances filed in FY2022 and FY2023 to date.

35. Please describe the Commission's procedures for investigating allegations of sexual harassment or misconduct committed by or against its employees. List and describe any allegations received by the Commission in Fiscal Year 2022 and Fiscal Year 2023, to date, regardless of whether those allegations were resolved.

The Public Service Commission has zero tolerance for sexual harassment in the workplace. To ensure that sexual harassment does not occur, the Commission requires that all employees take in-house and online sexual harassment training. We periodically remind employees of their responsibility to ensure that the Commission remains a workplace free from inappropriate conduct. In addition, all employees have received a copy of the Mayor's Order 2017-313, Sexual Harassment Policy, Guidance and Procedures, dated December 18, 2017.

In the event of a sexual harassment allegation, employees report the incident to supervisors, the EEO Officer, the Sexual Harassment Officer, or a member of the Human Resources staff. An informal investigation will be conducted, within 60 days, by interviewing the complainant, any potential witnesses and reviewing security cameras, as appropriate.

If the investigation concludes that the allegation is credible, the offender is given an opportunity to appear before a Hearing Officer, who will make a recommendation to the Deciding Official, the Chairman of the Commission. Depending on the circumstances and the recommendation of the Hearing Officer, the offender may be terminated.

The Commission had no allegations of sexual harassment in FY 2022 and FY 2023, to date

36. Please list and describe any ongoing investigations, audits, or reports on the Commission or any employee of the Commission, or any investigations, studies, audits, or reports on the Commission or any employee of the Commission completed during Fiscal Year 2022 and Fiscal Year 2023, to date.

Each year, the Commission is audited by the Department of Transportation, Pipeline and Hazardous Materials Safety Administration (PHMSA). The audit is conducted in the summer, covering the previous calendar year. PHMSA provides an annual federal grant which reimburses the Commission for expenditures on natural gas pipeline safety. The 2022 audit score for the grant gave the Commission a 100% grade. The FY 2022 is the sixth year in a row in which the Commission received a score of a perfect "100%" on its

PHMSA rating of its programmatic performance.

37. Please describe any spending pressures the Commission experienced in Fiscal Year 2022 and any anticipated spending pressures for the remainder of Fiscal Year 2023. Include a description of the pressure and the estimated amount. If the spending pressure was in Fiscal Year 2022, describe how it was resolved, and if the spending pressure is in Fiscal Year 2023, describe any proposed solutions.

The agency did not have any spending pressures in FY 2022. No spending pressures are anticipated for the remainder of FY 2023.

38. Please provide a copy of the Commission’s Fiscal Year 2022 performance plan. Please explain which performance plan objectives were completed in Fiscal Year 2022 and whether they were completed on time and within budget. If they were not, please provide an explanation.

See Attachment 38. All our performance Plan Indicators were met in 2022, on time and within budget.

39. Please provide a copy of the Commission’s Fiscal Year 2023 performance plan, as submitted to the Office of the City Administrator.

See Attachment 39.

40. Please provide the number of FOIA requests for Fiscal Year 2022 and Fiscal Year 2023, to date, that were submitted to the Commission. Include the number granted, partially granted, denied, and pending. In addition, please provide the average response time, the estimated number of FTEs required to process requests, the estimated number of hours spent responding to these requests, and the cost of compliance.

FOIA Requests

FY 22 (October 1, 2021 - September 30, 2022)

# of Requests Received	# of Requests Granted (in whole)	# of Requests Granted (in part)	# of Requests Denied	# of Requests Pending	Average Response Time	Estimated # of FTEs	Estimated # of Hours Spent	Cost of Compliance**
7*	1	2	2	0	15 days	2	41.75	\$2,404.32

*Other disposition = 2

** Total dollar amount expended by the public body for processing FOIA requests; no fees were collected by the public body.

FY 23 (October 1, 2022 - to Date)

# of Requests Received	# of Requests Granted (in whole)	# of Requests Granted (in part)	# of Requests Denied	# of Requests Pending	Average Response Time	Estimated # of FTEs	Estimated # of Hours Spent	Cost of Compliance**
3	2 – Other disposition*	1	0	0	8 days	2	16.75	\$491.00**

*Other disposition = 2 (Search produced no responsive documents.)

** Total dollar amount expended by the public body for processing FOIA requests; no fees were collected by the public body.

41. Please provide a list of all studies, research papers, reports, and analyses that the Commission prepared or contracted for during Fiscal Year 2022 and Fiscal Year 2023, to date. Please state the status and purpose of each, and, if complete, attach a copy.

- 2022 Renewable Energy Portfolio Standard Report (report date May 2, 2022)**
The Renewable Energy Portfolio Standard Act (“REPS Act”) requires the Commission to report annually to the Council on the status of implementation of the Renewable Energy Portfolio Standards (“RPS”). The report fulfills the reporting requirements outlined in the REPS Act and as amended by the Clean Energy DC Omnibus Amendment Act of 2018 for the most recent compliance year of 2021. The 2022 Renewable Energy Portfolio Standard Report highlights the continued growth in solar energy generator applications in the District, as well as the significant increase in Community Renewable Energy Facilities (CREFs).
<https://dcpsec.org/Orders-and-Regulations/PSC-Reports-to-the-DC-Council/Renewable-Energy-Portfolio-Standard.aspx>
- PSC Annual Report 2021 (report date October 3, 2022)**
The Commission’s Annual Report highlights the Commission’s past year’s achievements and summarizes expenditures against its 2021 budget. The Commission’s work was guided by its mission to serve District utility customers by ensuring that financially healthy utility companies provide safe, reliable, and high-quality services at reasonable prices while promoting the District’s climate goals.
<https://dcpsec.org/getattachment/3a61edd9-665c-4acd-91a2-60272eb74c64/2021-Annual-Report.aspx>
- PSC Statistical Report 2021 (report date October 3, 2022)**
The Commission’s 2021 Statistical Report is a companion piece to the Commission’s 2021 Annual Report and represents a year’s worth of its Office of Technical and Regulatory Analysis (OTRA) compliance reviews, audits, inspections, utility assessments, and annual surveys. Among the Report’s many highlights is the District’s continued growth in renewable energy. A national leader in sustainability and environmental conservation, the District of Columbia has one of the most aggressive renewable energy standards of any city

in the country. The Commission has also added a new section on supplier diversity—a major priority for the Commission.

<https://dcpssc.org/getattachment/bc780884-1515-4cf2-9ff3-aba75c951a16/2021-Statistical-Report.aspx>

42. Please separately list each PSC employee receiving a salary of \$100,000 or more in Fiscal Year 2022 and Fiscal Year 2023, to date. Provide the name, position number, position title, program, activity, salary, and fringe. In addition, state the amount of any overtime or bonus pay received by each employee on the list.

See Attachment 42.

43. Please list in descending order the top 25 overtime earners at PSC in Fiscal Year 2022 and Fiscal Year 2023, to date. For each, state the employee's name, position number, position title, program, activity, salary, fringe, and the aggregate amount of overtime pay earned.

We do not have any overtime earners.

44. For Fiscal Year 2022 and Fiscal Year 2023, to date, please provide a list of employee bonuses or special pay granted, which identifies the employee receiving the bonus or special pay, the amount received, and the reason for the bonus or special pay.

See Attachment 44.

45. Please provide each collective bargaining agreement currently in effect for Commission employees and include the bargaining unit and duration of each agreement. Please note whether the Commission is currently in bargaining and its anticipated completion.

There are two collective bargaining agreements in effect for Commission employees.

The first agreement is between the Commission and the American Federation of Government Employees (AFGE), Local 1403, effective from October 1, 2017 through September 30, 2020, and covering the attorneys in the Office of the General Counsel. This agreement is currently in effect. See Attachment 45a.

The second agreement is a collective bargaining agreement between the Commission and the American Federation of State, County and Municipal Employees (AFSCME), District Council 20, effective from July 1, 2016 through September 30, 2019. This agreement, which covers non-managerial and non-confidential employees, is currently in effect. See Attachment 45b.

46. Please identify any boards or commissions associated with PSC and provide a chart listing the names, confirmation dates, terms, wards or residence, and attendance of each member. Include any vacancies. Please also attach agendas and minutes of each board or commission meetings in

Fiscal Year 2022 or Fiscal Year 2023, to date, if minutes were prepared. Please inform the Committee if the board or commission did not convene during any month. Finally, please indicate whether the board or commission met virtually or in-person.

None.

47. Please list all reports or reporting currently required of the Commission in the District of Columbia Code or Municipal Regulations. Provide a description of whether the Commission is in compliance with these requirements, and if not, why not (e.g., the purpose behind the requirement is moot, etc.). Please provide a copy or a link to the report(s).

Name of Report	DC Code	Reporting Frequency	Compliance Status
Bi-Annual Report on Fuel Mix*	§34-1517 (c)(2)	Every two years	Compliant
Report on Renewable Energy Portfolio Standard**	§34-1439	May 1 of each year	Compliant
Report on compliance with residency requirements***	§34-801 (b)(3)	Nov 1 of each year	Included in Mayor’s Report to the Council
Deposits/Disbursements Report	DC Code §34-912 (a)(7)	Feb 15 of each year	Compliant

*<https://dcpsec.org/Orders-and-Regulations/PSC-Reports-to-the-DC-Council/Biennial-Report-on-Fuel-Mix.aspx>

**<https://dcpsec.org/Orders-and-Regulations/PSC-Reports-to-the-DC-Council/Renewable-Energy-Portfolio-Standard.aspx>

48. Please provide a list of any additional training or continuing education opportunities made available to Commission employees. For each additional training or continuing education program, please provide the subject of the training, the names of the trainers, and the number of Commission employees who participated.

No in-person training programs took place in FY 2022 due to COVID-19. However, several in-person and virtual training opportunities are being planned for FY 2023. Training was provided virtually by the DC Department of Human Resources.

49. Please explain how PSC conducts annual performance evaluations of its employees, including who conducts the evaluation and what steps are taken to ensure all OPC employees meet individual job requirements.

The Commission conducts annual performance evaluations of its employees, and Commission employees are rated for the evaluation period (July 1 to June 30).

Commission supervisors conduct the annual performance evaluations, usually after employees are given an opportunity to provide their own draft evaluation. The employee and supervisor then discuss the draft before the supervisor finalizes the evaluation.

In order to assist employees to ensure that the annual performance evaluation process proceeds more efficiently, the PSC Office of Human Resources (OHR) has held workshops for Commission staff and managers to discuss the performance evaluation form, the narrative justification, evaluation pitfalls, Letter of Warning instructions and preparing for and conducting evaluation meetings. In addition, OHR has prepared a guide for implementing the performance evaluation system, which describes each component of the system, as well as tools, timelines, roles, and responsibilities to ensure that the process is implemented successfully. Supervisors are encouraged to have at least semi-annual discussions with their employees to chart progress toward their goals. The Executive Director also holds bi-weekly meetings with Office Directors who report to him. One of the topics in these meetings is progress directors are making in reaching their office goals.

In addition, the Commission encourages and provides opportunities for professional development and training. The agency offers in-house training through webinars and brown bag sessions led by staff or experts on emerging utility matters. The Commission also encourages staff members to take advantage of training and professional development opportunities offered by the District of Columbia government and other training suppliers.

Small Business Enterprise (SBE)

50. Please attach copies of the required annual **small business enterprise (SBE) expenditure** reports for the Commission for Fiscal Year 2022 and Fiscal Year 2023, to date.

- a. D.C. Official Code § 2-218.53(b) requires each District agency to submit supplemental information with their annual SBE expenditure report, including: a description of the activities the agency engaged in to achieve their fiscal year SBE expenditure goal; and a description of any changes the agency intends to make during the next fiscal year to achieve their SBE expenditure goal. Has your agency submitted the required information for Fiscal Year 2022? Please provide a copy as an attachment.

See Attachment 50.

51. Please provide the Commission's SBE goals for Fiscal Year 2021, Fiscal Year 2022, and Fiscal Year 2023.

In FY21, the Commission surpassed its SBE Expenditure goal by spending \$1,213,006 or 101% of our goal with SBEs.

In FY22, the Commission has spent \$959,476 and currently sits at 83% of our SBE expenditure goal. This is due to the DC Department of Small and Local Business Development (DSLBD) website being closed for final adjustments and exceptions. DSLBD expects the system to open to all DC agencies in the coming weeks. This should allow us to reach our goal of 100% compliance.

In FY23, the Commission has a goal of \$1,170,882.

52. Please provide a list of SBE contracts awarded to minority and women owned businesses during Fiscal Year 2021, Fiscal Year 2022, and Fiscal Year 2023, to date.

See Attachment 52.

Agency Operations

53. Please describe any initiatives that the Commission implemented in Fiscal Year 2022 and Fiscal Year 2023, to date, to improve the internal operations of the Commission or the Commission's interaction with outside parties. Please describe the results, or expected results, of each initiative.

The Commission continues to focus on improving its CBE participation in all procurements, including specialized professional services related to the utility industry. We have expanded our bidder's list for future solicitations, clarified SOWs, conducted extensive market research, and enforced the requirements for prime contractors to sub-contract with our CBEs. Also, the Commission hosted a hearing on July 27, 2022 to discuss contracts and procurement practices related to supplier diversity.

The Commission hosted our Second Annual Clean Energy Summit on January 18, 2023. The Summit consisted of an opening keynote address and three panels featuring federal, state, local, and industry leaders who shared their expertise on how the District can chart a path to a clean energy future. The event was viewed as highly successful, and we expect to host another Summit in FY 2024.

54. Describe the Commission's top five priorities and explain how the Commission plans to address these priorities in Fiscal Year 2023. Provide an update on how the Commission addressed the top priorities listed in response to this question last year.

Our top five priorities for 2023 are:

1. Clean Energy Act Compliance. In 2023, the Commission will review the comprehensive plan on how District utilities can achieve the District's climate goals that our independent consultant is currently developing.

2. Grid Modernization. The Commission is considering RFP responses for the community heat pump pilot project and will select at least one additional pilot project from Governance Board recommendations for deployment in the District.

3. Infrastructure Improvements. In 2023, the Commission will consider the final phase of DC PLUG and will continue oversight of the Capital Grid Project and PROJECTpipes.

4. Reasonable Rates. In 2023, the Commission will consider an expected application for a rate increase from WGL and will oversee Pepco's Multiyear Rate Plan (MRP), including monitoring a set of Performance Improvement Measures to track whether Pepco meets clean energy goals.

5. Equity Officer. The Equity Officer will continue to focus on equity within Commission policies and programs, as well as within utility proposals.

Our top priorities for 2022 were:

1. Clean Energy Act Compliance.

The Commission executed several important activities regarding Clean Energy Compliance, which included, but were not limited to the following:

- The Commission certified 2,147 new solar facilities for participation in the District's RPS program, including 82 new CREF's. As a result, we now have over 15,100 systems certified for the District's RPS program as of the end of CY22, including 301 CREF's. CY 22' is the second consecutive year, in which the District has achieved its RPS program solar energy annual target objective. Additional information about these efforts is noted herein.
- With respect to the implementation of a 5% long-term power purchase agreement for new renewable energy facilities, Pepco filed an executed Agreement on July 25, 2022, for a new solar facility in the PJM Interconnection L.L.C. geographic area. The Commission approved Pepco's PPA agreement with a counterparty on August 3, 2022. During the balance of FY23, efforts will be undertaken to explore an expansion of this program.
- Finally, the Commission continues to adjudicate a comprehensive climate policy proceeding (FC1167) to consider whether and to what extent utility or energy companies under its purview are meeting and advancing the District of Columbia's clean energy and climate goals and then take action, where necessary. Additional information about this proceeding is included herein.

2. Grid Modernization.

In FY22, significant efforts were made by the Commission-coordinated Grid Modernization Pilot Projects Governance Board, to execute pilot project RFP's for innovative grid mod and distributed energy resource (DER) projects.

- During 2022, the Commission issued an RFP for community heat pump pilot project(s) to support the development of a large community heat pump system(s) to replace existing fossil fuel space conditioning systems. The RFP will result in the awarding of up to \$5M of grants to help fund such projects.
- The Commission also recently issued an RFP on a solar aggregation and advanced inverter pilot—seeking projects that can demonstrate the benefits of advanced inverter equipment, including communication systems and the expansion of solar hosting capacity over a five-year period. The maximum amount of funding available for this project is \$3 million, which may be awarded to one or more bidders.
- The Commission continued to work with an outside consultant, which has been hired to execute a Value of DER study. The study is currently expected to be fully completed by late Spring, and the results of this study will be used in other PSC grid mod and clean energy initiatives and cases.
- The Commission also continues to monitor an innovative Non-Wires Alternative (NWA) RFP program executed by Pepco, to foster expansion of DER solutions in capacity constrained areas of the electric grid.

3. Infrastructure Improvements.

The Commission continues to provide active regulatory oversight over three important and significant energy infrastructure projects: the Capital Grid project (FC1144), DC PLUG (FC1159/FC1168), and PROJECTpipes (FC 1154 and 1115).

Capital Grid

The Capital Grid Project (CGP) is a long-term electric utility initiative to address aging infrastructure, enhanced system resiliency, improved reliability, and load growth. The Project will provide a networked high-voltage transmission system, while also providing about 70 MW of additional hosting capacity for future Distributed Energy Resources (DER), with an initial budget of \$850 million to be split between both DC and MD customers.

DC PLUG

The DC Power Line Undergrounding initiative (DC PLUG) program originated with the 2013 Report of the Mayor’s Power Line Undergrounding Task Force. DC PLUG represents a public-private partnership between the District Government and Pepco, to improve the reliability and resiliency of the District’s energy grid by placing select overhead feeders underground in Wards 3, 4, 5, 7, and 8. The DC PLUG initiative, as previously approved by the Commission, encompasses about \$483 Million of total investment and 20 feeders providing underground service to 26,000 customers.

The Commission continues to closely monitor this project and work with all stakeholders.

PROJECTpipes

The Commission continues to closely monitor all aspects of this project. Washington Gas Light Company’s (“WGL”) PROJECTpipes is an accelerated gas pipeline replacement program that originated out of a national effort for gas utilities and public utility commissions to address the replacement of aging and high-risk gas infrastructure.

The Commission has approved two phases of this project—Pipes 1 and Pipes 2 (further discussed herein). Considering both Pipes 1 and 2 on a combined basis, WGL is currently expected to replace or remediate about 36 miles of main and 8,500 services by the end of 2023.

4. Reasonable Rates.

In 2022, the Commission continues to monitor several compliance actions related to Pepco’s Multiyear Rate Plan (“MRP”). The Commission previously approved a modified and enhanced 18-month EMRP in June of 21’. This EMRP included customer bill credit offsets which helped to phase in the rate impacts on customers over the 21-23 period. A stay-out provision was also included in the EMRP, which limited Pepco from filing for any new increases until CY23 and beyond. Further details are noted herein.

The Commission continues to foster the use of a utility discount program for both Pepco and WGL customers. For example, there were about 29,000 electric customers enrolled in the Commission’s low-income electric customer utility discount program (RAD).

The Commission continues to also deploy a senior and disabled citizen bill credit program which provides \$90 per year of bill credits for about 17,000 qualifying customers. Additionally, the Commission continues to monitor and foster the prudent use of deferred payment agreements, which represent another innovative bill payment tool. As of year-end 2022, there were approximately 4,600 customers currently enrolled in Pepco deferred payment agreements.

5. Equity Officer.

In FY22, the Commission brought on an Equity Officer who is responsible for assuring the advancement of racial equity within Commission policies and programs, as well as within utility proposals.

55. Please list each new program implemented by the Commission during Fiscal Year 2022 and Fiscal Year 2023, to date. For each initiative, please provide:

- a. A description of the initiative, including whether it is related to the COVID-19 Pandemic or recovery efforts;
- b. The funding required to implement to the initiative and the source of such funding; and

- c. Any documented results of the initiative.

The Commission implemented no new programs in FY2022 and FY2023, to date.

56. Describe how PSC measures programmatic success and discuss any changes to outcomes measurement in Fiscal Year 2022 and Fiscal Year 2023, to date.

The Commission measures programmatic success through the use of Key Performance Indicators (KPIs) tied to our Strategic Objectives as shown in our Performance Plans.

In FY2022, we had 4 KPIs:

- 1. Whether the U.S. Department of Transportation, Pipeline and Hazardous Materials Safety Administration (PHMSA) gives our natural gas pipeline safety program a satisfactory rating. For the last seven years, PHMSA has given us a perfect 100% score.**
- 2. Whether we conclude adjudicative cases in a reasonable period of time (within 90 days of the close of the record). We achieved our target KPI (95%) for FY 22.**
- 3. Whether we resolve our consumer complaints at an informal level. For the last few years, we have concluded over 98% of our cases without requiring a formal hearing.**
- 4. Whether we consider environmental issues in adjudications and infrastructure matters. We have met this KPI.**

There have been no changes to our KPIs for FY2023.

57. Describe the top metrics used by the Commission to evaluate its operations. Please be specific about which data points are monitored by the Commission.

The following Table shows the Workload Measures used by the Commission to measure performance. These statistics are measured quarterly and are used by management to identify any performance anomalies.

FY 2022 Workload Measures

WORKLOAD MEASURE	1Q	2Q	3Q	4Q	Total FY
Number of Cases Opened	877	1269	556	489	3,191
Number of Orders Issued	66	45	39	678	828
Number of Pipeline Safety Inspections Conducted	75	48	129	93	345
Number of One Call Inspections Conducted	196	127	165	173	661
Number of Pay Phone Inspections Conducted	7	0	9	0	16
Number of RPS Applications Processed	1075	546	586	496	2,703
Number of Consumer Complaints and Inquiries Processed	257	335	281	307	1,180

Number of Formal Complaint Hearing Orders Issued	1	7	2	4	14
Number of New Formal Complaints	1	3	1	2	7

58. Please list any task forces and organizations of which the Commission is a member.

The Commission is a member of the National Association of Regulatory Utility Commissioners (NARUC), the Mid-Atlantic Conference of Regulatory Utility Commissioners (MACRUC) and the Organization of PJM States (OPSI). Through these organizations, we collaborate with other state and federal regulatory Commissions to address common public policy issues.

59. Please explain the impact on the Commission of any legislation passed at the federal level during Fiscal Year 2022 and Fiscal Year 2023, to date, which significantly affected Commission operations.

None.

60. Please describe any steps the Commission took in Fiscal Year 2022 and Fiscal Year 2023, to date, to improve the transparency of Commission operations.

The steps the Commission took in FY 2022 and FY 2023, to date, include:

- **Preparing and distributing press releases, advisory notices, and public notices to the Mayor’s offices, Councilmembers, District agencies, stakeholders and the general public.**
- **Preparing and distributing the Commission’s quarterly newsletter to the Mayor’s offices, Councilmembers, District agencies, and stakeholders to provide updates on proceedings and consumer initiatives.**
- **Hosting meetings with ANC Commissioners and the Office of Constituent Services to address community concerns and receive feedback.**
- **Participating in monthly Deputy Mayor for Operations and Infrastructure (DMOI) communications meetings to provide updates and to coordinate how to effectively communicate with DC residents about consumer services and resources.**
- **Conducting briefings for new Councilmembers and staff on the Commission’s mission, organization, programs, and priority issues.**
- **Managing several public awareness campaigns to inform District residents about consumer initiatives such as the: Winter Ready DC campaign, DC Power Connect campaign, Fight Utility Scams campaign, #Here2HelpDC, Clean Energy campaign, CBE webinar series, and the 771 area code campaign.**
- **Regularly attending ANC, community, and stakeholder meetings to provide presentations and updates to DC residents about the Commission’s work and consumers services.**
- **Regularly sharing updates, reminders and summaries of open meetings, due dates for comments, and public notices on social media and the PSC website.**

- Regularly livestreaming public events in lieu of in-person gatherings due to COVID-19 pandemic. These events are archived on YouTube (and embedded on the Commission’s website, as applicable) and shared on social media.
- Regularly updating the Commission’s website to keep it current, informative, and consumer friendly.
- Redesigning Commission reports, brochures, etc. to be more engaging and informative.
- Offering training and webinars about new consumer initiatives (e.g., DC Power Connect, #Here2HelpDC) to educate and inform interested individuals.
- Participating in the DC SEU Advisory Board and other organizations meetings and conferences to provide presentations and updates about the Commission’s decisions, programs, and consumers services.
- Directly engaging with individual residents/consumers via social media to address complaints or other utility-related issues by directing them to Commission resources (e.g., utility complaint form, Office of Consumer Services phone number).

61. Please identify all electronic databases maintained by the Commission, including the following:

- a. A detailed description of the information tracked within each system;
- b. The age of the system and any discussion of substantial upgrades that have been made or are planned to the system; and
- c. Whether the public can access all or part of each system.

See Attachment 61.

62. Please provide a detailed description of any new technology acquired in Fiscal Year 2022 and Fiscal Year 2023, to date, including the cost, where it is used, and what it does. Please explain whether there have there been any issues with implementation.

See Attachment 62.

63. How many in-person training programs took place in Fiscal Year 2022 and Fiscal Year 2023, to date?

No in-person training programs took place in FY2022 due to COVID-19. However, several in-person training programs are scheduled for FY2023.

64. What training deficiencies, if any, did the Commission identify during Fiscal Year 2022 and Fiscal Year 2023, to date?

None.

65. Please provide an update on the Commission’s Office of External Affairs, including leadership and number of employees assigned to it. Please describe stakeholder engagement with the Office of External Affairs and its process for documenting stakeholder recommendations.

The Office of Strategic Communications (OSC), formerly the Office of External Affairs (OEA), consists of a Director, Public Affairs Officer, Public Affairs Specialist, and a Communications Assistant (contractor).

OSC provides strategic communications counsel and guidance to Commissioners and staff. OSC crafts and implements a strategic communications plan, which guides the Commission’s media relations, brand management, marketing, advertising, stakeholder engagement, internal communication, and community partnership activities. OSC creates and manages content for the Commission’s website, social media platforms, and other digital outlets. The office also edits, designs, and distributes high-profile Commission reports, such as the annual Renewable Energy Portfolio Standard Report. OSC also manages Commission events, such as the Clean Energy Summit, the Supplier Diversity Hearing, and the Cybersecurity Conference, as well as consumer campaigns such as Winter Ready DC.

In FY23, the Commission hired a Principal Legislative Advisor. This role was previously under the purview of OEA but has now been realigned under the Office of the Chairman.

66. Please provide an update on the Advisory Council on Utility Supplier and Workforce Diversity and its current and previous initiatives.

Pursuant to Advisory Council recommendations, in April 2021, the Commission, Pepco, Washington Gas and Verizon signed off on a new set of benchmarks that established Memoranda of Understanding (MOU) setting out utility aspirational goals of 25 percent diverse spending with District-based businesses, including veterans, service-disabled veterans. The MOUs added LGBTQ-owned companies to the definition of diverse suppliers.

On July 27, 2022, the Commission hosted its first annual hearing to review the results of each utility’s diverse spend commitment for calendar year 2021. We heard reports from each utility company, including their plans going forward. There was also a panel discussion that included Laurie Dowling (National Utilities Diversity Council), Kristi Whitfield (DC Department of Small and Local Business Development), Gilbert Campbell (Volt Energy) and Arlen Herrell (DC Infrastructure Academy). Looking ahead, the goal for these hearings is for the utilities to share how effective their efforts have been to reach the 25% aspirational goal during that calendar year; how they plan on exceeding their goals the following year; and to hear the experiences of diverse businesses and stakeholders that may have been affected by any changes to the MOU.

We plan on hosting our second annual hearing in late summer 2023.

Legislative and Regulatory Requirements

67. Please identify any legislative requirements that the Commission lacks sufficient resources to properly implement.

None.

68. Please list all regulations for which the Commission is responsible for oversight or implementation. Please list by chapter and subject heading, including the date of the most recent revision.

Chapter	Subject Heading	Latest Revision
15-1	Public Service Commission Rules of Practice and Procedure	Sept 2020
15-2	Utility Rate Changes	Sept 2020
15-3	Consumer Rights and Responsibilities	Oct 2020
15-4	Master-Metered Apartment Buildings	Jul 1981
15-5	Fuel Adjustment Clause Audit and Review Program	July 2022
15-6	Pay Telephones	Sept 2020
15-7	Freedom of Information Act	Dec 2021
15-8	Interconnection with Telephone Companies Facilities	Sept 2020
15-9	Net Energy Metering	Sept 2022
15-13	Rules Implementing the Public Utilities Reimbursement Fee Act of 1980	Sept 2020
15-14	Agency Fund Requirements	Sept 2020
15-15	Rules Implementing the Public Utilities Amendment Act of 1989	Sept 2020
15-16	Pole Attachment Provisions for Cable Television	Sept 2020
15-17	Common Carriers of Passengers by Water	Jun 1985
15-18	Non-Residential Customer's Rights	Sept 2020
15-20	Office of the People's Counsel Agency Fund	Sept 2020
15-21	Provisions for Construction of Electric Generating Facilities and Transmission Lines	Sept 2020
15-22	Procurement Regulations	Sept 2020
15-23	Natural Gas	Sept 2020

15-24	Uniform System of Accounts for Telephone Corporations	Sept 2020
15-25	Certification of Local Exchange Service Providers	Sept 2020
15-26	Rules Implementing Section 252 of the Federal Telecommunications Act of 1986	Sept 2020
15-27	Regulation of Telecommunications Service Providers	Sept 2020
15-28	Universal Service	Sept 2020
15-29	Renewable Energy Portfolio Standard	April 2022
15-35	Applications for Authority to Issue or Amend Tariffs to Issue Stock or Evidences of Indebtedness	Sept 2020
15-36	Electricity Quality of Service Standards	April 2022
15-37	Natural Gas Quality of Service Standards	Sept 2020
15-39	Affiliate Transactions Code of Conduct	Sept 2020
15-40	District of Columbia Small Generator Interconnection Rules	August 2021
15-41	The District of Columbia Standard Offer Service Rules	Sept 2020
15-42	Fuel Mix and Emissions Disclosure Reports	Sept 2020
15-43	Rules for the Purchase of Liquid-Immersed Distribution Transformers by the Electric Utility	Sept 2020
15-44	Submetering and Energy Allocation	Sept 2020
15-46	Licensure of Electricity Suppliers	May 2022
15-47	Licensure of Natural Gas Suppliers	May 2022

69. Please explain the impact of any legislation passed at the federal level during Fiscal Year 2022 and Fiscal Year 2023, to date, that significantly affected the Commission's operations.

In July 2022, we opened Formal Case 1172 regarding the identification of funding sources for energy infrastructure under the Infrastructure Investment and Jobs Act (IIJA) and the Inflation Reduction Act of 2022 (IRA) which are federal legislative initiatives.

70. Please identify any legislation and regulations the Commission plans to introduce during the remainder of Fiscal Year 2023.

None.

Consumer Issues

71. To the extent permissible, please provide an explanation of the role the Commission is playing in the following:

- a. PROJECTpipes;
- b. DC PLUG Program; and
- c. Ensuring District utility consumers benefit from the District’s solar programs, and other sources of renewable energy.

a. **PROJECTpipes Initial Plan**

Initial Plan, Pipes 1 Program, and Pipes 2 Program:

Washington Gas Light’s (“WGL”) PROJECTpipes initiative is an accelerated gas pipeline replacement program that originated out of a national effort for gas utilities and public utility commissions to address the replacement of aging and high-risk natural gas distribution system infrastructure. PROJECTpipes is designed to enhance the safety and reliability of WGL’s system, while helping to reduce natural gas leaks and increase system resiliency. In August 2013, WGL filed its Accelerated Pipe Replacement Program (now known as PROJECTpipes – Formal Case No. 1115) with an objective to modernize its 1,200-mile natural gas distribution system in the District.

Along with a package of annual compliance reporting requirements, the first five years of PROJECTpipes were originally approved by the Commission in August 2014 for a total investment of \$110 million through September of 2019. The first 5-year phase of the program (PIPES 1) was subsequently extended for fifteen months through December 31, 2020. The Commission authorized total spending for PIPES 1, including the 15-month extension, not to exceed \$141.25 million. During the extension period, the Commission continued to review WGL’s application for a second five-year phase of the initiative, known as PIPES 2 (See below).

Through Order No. 20671, on December 11, 2020 (FC1154), the Commission approved a modified PIPES 2 plan for a three-year period, beginning January 1, 2021. The approved plan encompasses \$150M of expenditures, 14.3 miles of main replacement/remediation, and the replacement of over 4,200 services. Additionally, the Commission estimated that the approved three-year plan would avoid 6,000 metric tons of CO₂ equivalent greenhouse gas emissions (GHG) on a cumulative basis. The approved plan was also expected to avoid 100 potential natural gas leaks in the District.

A designated level of WGL investment associated with this initiative is initially recovered by WGL through a Commission-approved surcharge that appears on customer bills as a separate line item, with these costs including the annual carrying charges associated with WGL’s investment. As subsequent WGL distribution base rate cases occur and are adjudicated by the Commission, an appropriate level of costs for completed projects will then be transferred from the separate annual surcharge into annual base rates on a going-forward basis.

WGL maintains a dedicated webpage for PROJECTpipes activities. Further details can be found at:<https://www.washingtongas.com/safety-education/safety/pipe-replacement-projects/projectpipes>.

The Commission has closely monitored WGL’s PROJECTpipes since inception, and the Commission has also directed a comprehensive independent audit of WGL’s PIPES 1 program. The Commission reviewed the recommendations and findings of the audit within the context of the ongoing PIPES 2 proceeding. The Commission also required and obtained an enhanced Program Implementation Plan (PIP). The Commission participated in various Consumer Education events and continues to monitor WGL’s Consumer Education Plan (CEP) on a quarterly basis. The Commission’s engineering staff reviews drawings of proposed annual projects for both Pipes 1 and 2, and staff also review any modifications to the annual projects list.

As directed by the Commission Order, Commission staff convened two technical conferences with the Company and stakeholders to review actions that the Company could take to lower unit costs and to discuss WGL’s Project Implementation Plan (PIP). The Commission also convened three technical conferences to discuss WGL’s Advanced Leak Detection 3-year Pilot program, and the Commission is currently reviewing WGL’s pilot Final Report for Phase 1 of the pilot, as well as a Phase 2 Plan for the remaining duration of this pilot program (submitted in August of 2022).

On December 16, 2022, the Commission approved (with modifications) WGL’s request for proposal (RFP) for a management audit to review WGL’s PIPES 2 program performance. Once a filing is made by WGL to the Commission, the Commission will review and approve the selection of an independent auditor. The Commission participated in various Consumer Education events and continues to monitor WGL’s Consumer Education Plan quarterly.

Pipes 3 Program Updates and Expected PSC Actions:

Following the Commission’s directive in Order No. 20671, WGL filed their plan for a third PROJECTpipes program (Pipes 3) on December 22, 2022, which requested authorization for the next five years of accelerated pipe replacement efforts, beginning in January of 2024. PIPES 3 proposes to spend \$671.8 million to replace about 27.6 miles of main and over 7,600 services during the five-year period beginning early 2024. WGL’s proposed level of investment over five years

includes an additional investment of about \$240M, to cover a new program that entails the replacement of gas pipe affected by Pepco and DDOT's DC Plug initiative.

The Commission is reviewing the proposed plan through FC1175. To supplement the Commission staff's review and analysis efforts, the Commission plans to hire an experienced and well-respected consulting firm, with both engineering and economic expertise. To facilitate a thorough review a procedural schedule will be approved by the Commission and communicated to all parties. A public notice, regarding Pipes 3, has already been published.

Considering both Pipes 1 and 2 on a combined basis, WGL is currently expected to replace or remediate about 36 miles of main and 8,500 services by the end of 2023.

The Commission maintains a series of website pages on gas leak trends and leak mitigation efforts, and these pages can be located at <https://depsec.org/Orders-and-Regulations/PSC-Reports-and-Plans/WGL-Natural-Gas-Leaks.aspx>

b. DC PLUG Program

The DC Power Line Undergrounding initiative (DC PLUG) program originated with the 2013 Report of the Mayor's Power Line Undergrounding Task Force. DC PLUG represents a public-private partnership between the District Government and Pepco, with the goal of improving the reliability and resiliency of the District's energy grid by placing select overhead feeders underground in Wards 3, 4, 5, 7, and 8. The DC PLUG initiative, as previously approved by the Commission, encompasses about \$483 Million of total investment and 20 feeders providing underground service to 26,000 customers.

DC PLUG will benefit District residents by reducing the severity of power outages during major storms, which will help in improving reliability and resiliency. DC PLUG also offers significant economic opportunities for District businesses and residents.

In November 2017, through Order No. 19167, the Commission approved the First Biennial Plan proposed by DDOT and Pepco. The First Biennial Plan included \$134 million in capital expenditures for six feeders (Plug 1).

In January 2020, through Order No. 20285, the Commission approved the Second Biennial Plan proposed by DDOT and Pepco. The Second Biennial Plan included \$264 million in capital expenditures for ten feeders (Plug 2).

In January 2022, through Order No. 21105, the Commission approved the Third Biennial Plan proposed by DDOT and Pepco. The Third Biennial Plan included \$85 million in capital expenditures for four feeders (Plug 3).

The DC PLUG law, along with provisions within the above Commission orders, created a variety of reporting requirements that provided interested parties and the Commission Staff a window into the operation of the DC PLUG program. Commission Staff actively participates in all meetings, reviews reports and other related filings, and initiates follow-up actions as appropriate, including:

- Monthly DDOT utility construction coordination meetings and community meetings where DC PLUG updates are reported.
- Pepco and DDOT reports on program status during the DC PLUG Semi-Annual Meetings. The last semi-annual meeting was held on December 15, 2022.
- The Commission Staff continues to review Pepco's [Quarterly Reports on Cost Sharing](#). These reports track payments between Pepco and DDOT.
- Commission Staff reviewed [Pepco's Annual Status Report](#) (September 30, 2022).
- Commission Staff, including engineering personnel, review electrical and civil drawings and designs at appropriate points in the project development, design, and engineering process.
- Commission Staff monitor all construction activities related to DC Plug.
- As required by the statute, Pepco applied for a true-up and adjustment to the Underground Projects Charge in April 2022 (for recovery of Pepco's investment in DC Plug). Pepco also requested a true-up for the Underground Rider (for recovery of DDOT's investment in DC Plug), as required by the statute. These applications were reviewed and approved by the Commission, and such applications have occurred on an annual basis since inception.

Additionally, the Office of Consumer Services (OCS) monitors Pepco's and DDOT's compliance with its integrated communications strategy associated with DC PLUG. The DC Power Line Undergrounding Consumer Education Plan aims to educate and update District residential and commercial utility customers, as well as other stakeholders, on the implementation of the DC PLUG, as directed by the Commission.

- c. Ensuring District utility consumers benefit from the District's solar programs, and other sources of renewable energy.

The Commission is tasked with implementing the District's Renewable Energy Portfolio Standard (RPS), which requires that a certain amount of retail electricity sales be derived from solar energy.

The Commission's responsibilities include:

- **Review and processing of all solar system applications seeking RPS program certification—including Community Renewable Energy Facilities (CREFs) that help provide bill credits to low-income customers—so that they can participate in the RPS program which creates renewable energy credits (REC’s). These REC’s can be sold to energy suppliers to meet their RPS requirements, and the REC’s provide a stream of income to the producer of the REC’s, which partially offsets the cost of installed solar systems.**
- **Preparation of the Annual Report to the Council on the District’s RPS program results, including compliance of electricity suppliers required to meet the RPS requirements. Suppliers that do not submit sufficient REC’s to meet the RPS requirement make a compliance payment that goes into the Renewable Energy Development Fund (REDF). Approximately \$5.7M of compliance payments were paid into this fund for the 2021 compliance year, and these funds are currently used to support the District’s Solar for All Program.**
- **The Commission is also pleased to note that the District concluded CY 2022 with about 15,100 solar systems certified for the District’s RPS program, including over 11,800 solar projects within the District, as well as approximately 3,300 eligible solar projects registered outside of the District.**
- **As of year-end 2022, 301 District Community Renewable Energy Facilities (CREF’s) were certified—an increase of 82 CREF’s from 219 at the year-end 2021.**
- **During CY 2022, Commission staff certified a total of 2,147 new solar system, including 1,802 new RPS solar facilities within the District (including 82 new CREF’s) and 345 outside the District (primarily on cross-border feeders).**
- **RPS-certified projects now equate to 184 MW of capacity in the District, as well as 42 MW outside of the District—for a total of 226 MW.**
- **The total RPS-certified solar capacity of 226 MW effectively exceeds the District’s RPS solar carve-out 2022 estimated goal of 189 MW, or 2.6% of total electric 2022 District retail electricity sales. CY22’ will be the second year that the District met or exceeded its annual RPS solar carve-out RPS estimated goal.**

The Commission also reviews and amends the net metering and interconnection rules to help facilitate the expansion of distributed energy resources (DER) in the District. In particular, the Commission has approved a provision which allows net metering customers to install solar systems capable of generating up to 200% of their annual energy use by 2024—previously, a customer was only

allowed a threshold up to 100% of their historical usage. Starting in 2020, the generation threshold increases by 20% annually until the generation threshold reaches 200% in 2024. In 2023 the size threshold will be 180%.

Additionally, the Commission approved the socialization or cost-sharing of distribution system upgrade costs of up to \$500,000 per year for the installation of CREFs—covering up to 50% of the cost, with a cap of \$25,000 per project.

During 2022, the Commission issued an RFP for community heat pump pilot project(s) to support the development of a large community heat pump system(s) to replace existing fossil fuel space conditioning systems. The RFP will result in the awarding of up to \$5M of grants to help fund such projects. The Commission also recently issued an RFP on a solar aggregation and advanced inverter pilot—seeking projects that can demonstrate the benefits of advanced inverter equipment, including communication systems and the expansion of solar hosting capacity over a five-year period. The maximum amount of funding available for this project is \$3 million, which may be awarded to one or more bidders. Funding of grants for the above RFP projects will be provided from a grid modernization escrow fund arising from the 2016 merger of Exelon and PHI/Pepco.

Previously, the Commission approved the RPS certification of various projects submitted by DC Water, including a 14 MW generator that produces electricity using wastewater and a 4 MW solar facility-- both located at Blue Plains.

Finally, the Commission continues to advance the District's climate goals through a renewable energy PPA for Pepco's SOS service, which requires 5% of default electricity service to come from a new, long-term renewable energy agreement. Further details of the program are noted in the response to Question 87.

72. Please provide a detail narrative of how the Commission handles consumer complaints.

The Office of Consumer Services (OCS) receives complaints from various sources: through its call center, online, and referrals from City Council and other District government agencies. Once a complaint is received, the complaining consumer is contacted by OCS Consumer Specialists (CS), who perform the basic intake for initiation and investigation of the complaint. All details of the complaint are entered and tracked through the Commission Consumer Complaint Management Database (CCMS).

Investigation of the complaint is initiated by contacting the relevant utility with the details of the complaint. Pursuant to Section 323 of Title 15 of the District of Columbia Municipal Regulations, the utility has fourteen (14) business days to conduct its own investigation of the complaint and respond to the Commission. Upon receipt of the response, the OCS CS reviews the response for sufficiency, and decides whether further information is required from the utility to complete the response. As a part of the CS' investigation of the complaint, the CS may have to consult with other departments within the Commission,

such as the Office of Technical and Regulatory Analysis (OTRA), the Office of Compliance and Enforcement (OCE), or the Office of the General Counsel (OGC).

Once the Consumer Specialists determines the utility's response is sufficient, the Consumer Specialist will contact the consumer to review the response and determine the next course of action. Upon receipt of the utility's response and the conclusion of the CS' investigation, many consumer complaints are resolved at this stage and the complaint is closed. However, the consumer may not be satisfied at this stage, and may then exercise her option to proceed to an informal hearing mediated by OCS. A resolution may also be achieved at this stage. Finally, if the complaint cannot be resolved informally, after both the initial investigation and utility response, and the informal hearing mediation, the consumer has the final option to request a Formal Hearing of her complaint before the Public Service Commission.

- a. How many consumer complaints did the Commission receive during Fiscal Year 2022 and Fiscal Year 2023, to date?

The Commission received 849 complaints during FY22 and has received 415 complaints in FY23, to date (February 14, 2023).

- b. Has the Commission noticed any trends in complaints? If so, please explain.

The Commission has not noticed any trends in consumer complaints. Now that the moratorium on service disconnections and imposition of late fees has ended, financial concerns have resumed its predominance as the primary consumer complaint subject matter, with billing and payment matters occupying nearly half of all complaints.

73. How many complaints did the Commission receive about PEPCO in Fiscal Year 2022 and Fiscal Year 2023, to date?

The Commission received 285 complaints about PEPCO in FY22 and we have received 121 complaints in FY23, to date.

- a. What were the major complaints received about PEPCO?

Approximately 63 percent of the complaints received about Pepco in FY22 were related to billing and payment issues.

- b. What trends did the Commission see regarding PEPCO complaints?

There were no observable trends in Pepco complaints in FY22.

74. How many complaints did the Commission receive about Washington Gas in Fiscal Year 2022 and Fiscal Year 2023 to date?

The Commission received 255 complaints about Washington Gas (WGL) in FY22 and has received 113 in FY23 to date.

- a. What were the major complaints received about Washington Gas?

Approximately 70 percent of the complaints received about Washington Gas were related to billing and payment issues.

- b. What trends did the Commission see regarding Washington Gas complaints?

There were no observable trends in Washington Gas complaints in FY22.

- c. In last year's performance oversight responses, PSC mentioned that there were issues with Washington Gas's call center, please provide an update on the issues that they were facing?

Under the Commission's rules, WGL is required to answer 70 percent of all customer phone calls within 30 seconds and keep its call abandonment rate below 10 percent. The Company files both annual and quarterly reports showing its performance. As part of 2020 Natural Gas Quality of Service Standards (NGQSS) Annual Report, WGL conceded that it had not met these requirements. Subsequent quarterly reports showed that WGL had ongoing poor performance on these measures.

In a September 2021 Order, the Commission directed WGL to file a corrective action plan regarding these deficiencies and suspended WGL's disconnection for non-payment activities. On February 1, 2022, WGL filed its monthly report, showing compliance for the month of January 2022. The Commission directed WGL to continue to pause disconnections until WGL met the customer service standard for the first quarter of 2022.

WGL filed a motion in April 2022 requesting resumption of disconnection activity, alleging compliance with the customer service standards. The Commission granted the motion and WGL resumed disconnection activity. However, in its November 2022 Metrics Report, WGL indicates that it failed the standard for answering calls within 30 seconds. (WGL met the standard again in December 2022). In a January 24, 2023 Order, the Commission expressed its concern about the November failure, and directed WGL to explain the root cause of the November failure, and to provide other call center metrics and statistics to explain the November failure and a prognosis for going forward.

These items were due in February 2023 and have not been filed with the Commission as of the writing of this response. However, OCS has been informed informally that WGL did not meet call center standards for January 2023. The Commission will respond accordingly to this information upon the receipt of its filing with the Commission.

75. How many complaints did the Commission receive about Verizon in Fiscal Year 2022 and Fiscal Year 2023, to date?

The Commission received 111 complaints about Verizon in FY22 and has received 25 complaints about Verizon in FY23, to date.

a. What were the major complaints received about Verizon?

Approximately 85 percent of the complaints received about Verizon were related to quality-of-service issues.

b. What trends did the Commission see regarding Verizon complaints?

A noticeable occurrence about Verizon complaints during FY22 involved consumers complaining about losing copper services to their home, and Verizon's attempts to migrate them to fiber, digital quality service. Starting in May 2021, Verizon began the process of abandoning its copper facilities and implementing services over fiber digital services. Many consumers wish to maintain copper services, as they see such service as a fail-safe during inclement weather or other disasters. Verizon is no longer required to provide copper-based service.

76. Please describe and provide data on the capacity and effectiveness of the Commission to address complaints related to Washington Gas, Verizon, and PEPCO.

The Commission's Office of Consumer Services handled approximately 1254 consumer complaints and inquiries in FY22. These complaints and inquiries include not only default utility companies, Pepco, Washington Gas, and Verizon, but include competitive utility suppliers as well. Of 849 total complaints, only 7 were not resolved at the informal hearing stage and went on to a formal complaint, a success rate of 99.2 percent.

77. What is the success rate of PSC's complaint mediation program with Washington Gas, Verizon, and PEPCO respectively?

In FY22, 279 of 285 Pepco complaints were resolved through the informal mediation process, a success rate of 99.2 percent. In FY22, 254 of 255 Washington Gas complaints were resolved informally, a success rate of 99.6 percent. In FY22, 111 of 111 Verizon complaints were resolved informally, a success rate of 100 percent.

Additional Questions

78. Describe steps taken in Fiscal Year 2022 and Fiscal Year 2023, to date, to reduce the following:

- a. Energy use;
- b. Communication costs; and

c. Space utilization.

a. **Energy use:**

In FY22, the PSC remained in full remote telework status. As such, our energy reduction efforts were placed on hold due to the public health emergency.

Once we returned in FY23, we continued to utilize energy efficient appliances, new and reutilized common areas to be configured for multiple staff members, and new lighting to reduce our consumption. Our energy usage has remained low due to the District's telework program featuring a hybrid work environment.

b. **Communication costs:**

In FY22, the PSC remained in full remote telework status. As such, we relied heavily on MS Teams, Cisco WebEx, and Zoom collaboration platforms. Therefore, no communications cost reduction opportunities were available to be made.

In FY23, the PSC moved completely to the MS Teams platform. We greatly reduced the number of Cisco WebEx accounts in the agency and eliminated our reliance on the Zoom platform. We continue to search for other opportunities to use technology thus saving on communication costs.

c. **Space utilization:**

In FY22, the PSC identified many opportunities for space saving and the repurposing of several common areas so as to create a safer and more efficient work environment for all staff as well as visitors. Our agency office renovation project concluded at the end of FY22.

In FY23, we are back to work and enjoying the numerous office updates that our renovation project provided us. These range from a safer work environment for our staff, walk-in consumers, the general public, and it enables us to better utilize larger, common areas and offices.

79. What has the Commission done in the past year to make its activities more transparent to the public? Please identify ways in which the activities of the Commission and information retained by the Commission could be made more transparent.

Please see the response to Question 60 above. As some of the "stay-at-home" aspects of the pandemic have abated, the Commission has resumed its outdoor outreach activities where permissible. We plan to continue our efforts to reach the public through social media, Public Service Announcements and increased attendance at outreach events.

The steps the Commission took in FY 2022-2023 (to date) include:

- **Preparing and distributing press releases, advisory notices, and public notices to the Mayor’s offices, Councilmembers, District agencies, stakeholders and the general public.**
- **Preparing and distributing the Commission’s monthly newsletter to the Mayor’s offices, Councilmembers, District agencies, and stakeholders to provide updates on proceedings and consumer initiatives.**
- **Creating a streamlined, seamless, “one click” way for the public to opt-in to the Commission’s newsletter**
- **Participating in monthly Deputy Mayor for Operations and Infrastructure (DMOI) communications meetings to provide updates and to coordinate how to effectively communicate with DC residents about consumer services and resources.**
- **Managing several public awareness campaigns to inform District residents about consumer initiatives such as: Winter Ready DC, DC Power Connect, Fight Utility Scams, #Here2HelpDC, Clean Energy campaign, CBE webinar series, and 771 area code campaign.**
- **Regularly attending ANC, community, and stakeholder meetings to provide presentations and updates to DC residents about the Commission’s work and consumers services.**
- **Regularly sharing updates, reminders and summaries of open meetings, due dates for comments, public notices, etc. on social media and the DCPSC website.**
- **Regularly livestreaming public events in lieu of in-person gatherings due to COVID-19 pandemic and providing recordings of said events on YouTube and the Commission’s website.**
- **Regularly updating the Commission’s website to keep it current, informative, and consumer friendly.**
- **Redesigning Commission reports, brochures, etc. to be more engaging and informative.**
- **Offering training and webinars about new consumer initiatives (e.g., DC Power Connect, #Here2HelpDC) to educate and inform interested individuals.**
- **Participating in the DCSEU Advisory Board and other organizations meetings and conferences to provide presentations and updates about the Commission’s decisions, programs, and consumers services.**
- **Conducting briefings for new Councilmembers and staff on the Commission’s mission, organization, programs, and priority issues.**
- **Directly engaging with individual residents/consumers via social media to address complaints or other utility-related issues by directing them to Commission resources (e.g., utility complaint form, Office of Consumer Services phone number).**
- **The agency utilizes numerous public and internal methods to solicit feedback from consumers and facilitate consumer engagement including testimony received at community hearings; technical conferences and workshops; substantive Working Groups; oral and written input received from consumers during community education and outreach events; and public**

engagement with the consumers on social media platforms such as Twitter, Facebook, Instagram, YouTube, and LinkedIn.

- **The Commission has increased its use of dedicating landing pages on its website for timely or hot-button issues, such as rate cases or other large campaigns/initiatives. This provides a single place that consolidates all information on the topic (e.g., links to formal cases/orders, deadline reminders, background information) to ensure consumers and stakeholders can find what they are looking for and stay informed.**

80. How does the Commission solicit feedback from customers?

The agency utilizes numerous public and internal methods to solicit feedback from consumers and facilitate consumer engagement including testimony received at community hearings; technical conferences and workshops; substantive Working Groups; oral and written input received from consumers during community education and outreach events; publication of our agency newsletter; and public engagement with the consumers on social media platforms such as Twitter, Facebook, Instagram, YouTube, and LinkedIn.

81. Has the Commission changed any practices or procedures as a result of such feedback?

The Commission has broadened the ways in which District residents can participate in PSC community and public hearings. In the past, the events were livestreamed but viewers were only able to watch the proceedings, not contribute. The Commission now offers the option for virtual participants to ask questions or share testimony live via conferencing software (e.g., WebEx) or over the phone.

82. Please describe the personnel and funding required to continue the statutorily required activities of the Commission.

Personnel and funding necessary to satisfy our statutory requirements is provided through Special Purpose Revenues, assessed from regulated entities in the District and approved through the budget process.

83. Please provide an update on the progress of the District of Columbia Power Line Undergrounding (DC Plug) initiative, the funding required to continue the implementation of the initiative, and the results.

The DC Power Line Undergrounding initiative (DC PLUG) program originated with the 2013 Report of the Mayor's Power Line Undergrounding Task Force. DC PLUG represents a public-private partnership between the District Government and Pepco, to improve the reliability and resiliency of the District's energy grid by placing select overhead feeders underground in Wards 3, 4, 5, 7, and 8. The DC PLUG initiative, as previously approved by the Commission, encompasses about \$483 Million of total investment and 20 feeders providing underground service to 26,000 customers.

The Undergrounding Act allows Pepco to recover up to \$250 million through a surcharge on their bills called the Underground Projects Charge (“UPC”). Pepco’s carrying charges on its \$250M investment will be gradually recovered over the useful life of this equipment. At some point in the future, these annual carrying charges will be transferred into Pepco base rate distribution charges.

The Act also allows the Commission to approve recovery of DDOT charges paid by Pepco in an amount of up to \$187.5 million to cover DDOT’s construction costs that will be recovered through the Underground Rider. These charges are front-end loaded in the first 6-7 years of the initiative. DDOT may supplement this with up to \$62.5 million of DDOT Capital Improvement funding that will not be recovered on Pepco customers’ bills.

The DDOT Charge first took effect in February 2018 and since that time Pepco has paid the DDOT Charge for eleven months in 2018 and twelve months in 2019, 2020, 2021, and 2022 to arrive at a 59-month total of \$147.5 million through the end of December 2022. Pepco recovers the DDOT Charge from customers through the Underground Rider. This leaves approximately \$40 million to be recovered during 2023 and 2024 (with a final true-up in 2024 if needed).

DC PLUG will benefit District residents by reducing the severity of power outages during major storms, which will help in improving reliability and resiliency. DC PLUG also offers significant economic opportunities for District businesses and residents. DC is now in the 1st quartile in electric reliability.

In November 2017, through Order No. 19167, the Commission approved the First Biennial Plan (Plug 1) proposed by DDOT and Pepco. Plug 1 included \$134 million in capital expenditures for six feeders. In January 2020, through Order No. 20285, the Commission approved the Second Biennial Plan (Plug 2) proposed by DDOT and Pepco. Plug 2 included \$264 million in capital expenditures for ten feeders. In January 2022, the Commission approved the Third Biennial Plan (Plug 3) proposed by DDOT and Pepco by Order No. 21105. Plug 3 included \$85 million in capital expenditures for four feeders.

Although the combined expenditures for DC Plug Biennial Plans #1, #2, and #3 are currently expected to be approximately \$483M (within the legislative requirements of \$500M), the Commission will continue to closely monitor spending levels and updated estimates. Finally, the Commission will work with both Pepco and DDOT to monitor respective spending limits of \$250M each and collaborate on proper ways to handle any emergent variances above these individual entity expenditure limits.

84. Please provide an update on the status of construction for each overhead feeder selected to be placed underground and include a timeline for completion.

Status of First Biennial Plan Feeders (Plug 1):

- **Feeder 308 (Ward 3) - Construction is complete. It was placed in service in late November 2020 and is currently serving the customers.**
- **Feeder 14900 (Ward 4) – This is part of a much larger federally funded DDOT project to reconstruct Oregon Avenue that began construction in December 2019. Because the work on Feeder 14900 is dependent on progress on the much larger Oregon Avenue project, Pepco and DDOT have reported that the civil work is 100% complete. Full completion of feeder 14900, including electrical work, is currently expected in Q1 2023.**
- **Feeder 368 (Ward 7) - Final civil construction is in progress and is expected to be completed in Q1 2023. Electrical construction will commence in Q2 2023 and is expected to be completed by Q4 2023.**
- **Feeder 14007 (Ward 5) – 100% civil design is complete. Civil construction bids are being prepared. Construction of feeder 14007 is expected to be completed in CY 2025.**
- **Feeder 15009 (Ward 5) - Notice to Proceed to begin civil construction is expected in February 2023. Construction of feeder 15009 is expected to be completed in CY 2024.**
- **Feeder 14758 (Ward 8) – 100% civil design is complete. Notice of Intent to Award for civil construction has been sent to the successful bidders and a Council procurement approval package is in progress. Construction of feeder 14758 is expected to be completed CY 2025.**
- **Status of Second Biennial Plan Feeders (Plug 2):**
- **Feeders 14008 (Ward 5) – 100% civil design is complete. Notice of Intent to Award for civil construction has been sent to the successful bidders and a Council Package is in progress. Construction of feeder 14008 is expected to be completed in CY 2024.**
- **Feeders 15116 (Ward 8) and 15001 (Ward 4) - These are in the civil construction invitations for bids stage. 100% civil design is complete.**
- **Feeders 118 (Ward 7), 14702 (Ward 7), 14767 (Ward 3), 467 (Ward 3), 15171 (Ward 8), 14093 (Ward 5), 15021 (Ward 4) – These are in various stages of civil design. Civil construction work will follow once design is complete.**

Status of Third Biennial Plan Feeders (Plug 3):

- **Plug 3 feeders are in the early stages of civil design. The Notice to proceed for civil design is expected by Q1 2023 for feeders 347 and 75. The Notice to proceed for civil design is expected by Q2 2023 for feeders 14008 and 15174.**

85. What percentage of construction contracts for placing overhead feeders underground have been awarded to CBEs? Please provide the names of the CBEs and the contracts awarded to each.

With respect to DC PLUG civil construction efforts, 100% of contracts thus far have been awarded to CBEs:

- **Feeder 308: DDOT awarded a contract for civil construction services to Fort Meyers Construction (CBE). The contract is worth \$9.9 million and was deemed approved by the Council on July 12, 2018.**
- **Feeder 308: DDOT awarded a contract for civil construction management services to Kumi Construction Management Corp (CBE). The contract is worth \$1.2 million and was deemed approved by the Council on April 7, 2019.**
- **Feeder 14900: DDOT awarded a contract for civil construction services to Capitol Paving of DC, Inc. (CBE) on October 4, 2019. The contract is worth \$23 million. According to DDOT, this is part of a federally funded project to reconstruct Oregon Avenue, N.W.**
- **Feeder 14900: Civil construction management services were provided by AECOM (CBE) under a contract with DDOT. According to DDOT, this is part of a federally funded project to reconstruct Oregon Avenue, N.W.**
- **Feeder 14900: Engineering design services for civil work were provided by Volkert Engineering (CBE) under a contract with DDOT. According to DDOT, this is part of a federally funded project to reconstruct Oregon Avenue, N.W.**
- **Feeders 368: DDOT awarded a contract for civil construction services to Fort Meyers Construction (CBE). The contract is worth \$6 million. Civil construction management services were provided by Hayat Brown (CBE) under a contract with DDOT. The contract is worth \$2 million.**
- **Feeders 14758: DDOT awarded a contract for civil design services to Soil and Land Use Technology, Inc. (CBE) for \$2 million.**
- **Feeder 14007: DDOT awarded a contract for civil design services to Soil and Land Use Technology, Inc. (CBE) for \$4 million.**
- **Feeder 15001: DDOT awarded contracts for civil design services to HB-AB-EXP (CBE) for \$2 million and AMT (CBE) for \$3 million**
- **Feeders 14702 and 118: DDOT awarded a contract for civil design services to HB-AB-EXP (CBE) for \$2 million.**

- **Feeder 14767: DDOT awarded a contract for civil design services to AMT (CBE) for \$3 million.**
- **DDOT awarded a contract for program management services for the DC PLUG program to Capitol Underground Partners (CBE firm). The contract is worth \$7.5 million.**

100% of the contracts awarded by Pepco for electrical work on DC PLUG Feeder 308 have been awarded to CBEs.

Feeder 308: Pepco awarded a Construction Management contract to The Temple Group (100% CBE) for electrical work.

- **Feeder 308: Pepco awarded a contract for electrical construction services to Cinnovas Development Group, LLC (100% CBE).**
- **Feeder 14900: Pepco awarded a contract for electrical construction services to KCW (42% CBE).**

Approximately 42% of the contract awarded by Pepco for electrical work on DC PLUG Feeder 14900 has been awarded to CBEs.

Approximately 95% of the contracts awarded by DDOT for civil design services on DC PLUG Feeder 368 have been awarded to CBEs.

Approximately 96% of the contracts awarded by DDOT for civil design work on DC PLUG Feeder 15009 have been awarded to CBEs.

Approximately 92% of the contracts awarded by DDOT for civil design work on DC PLUG Feeder 14008 have been awarded to CBEs.

86. What percentage of architectural and engineering contracts for placing overhead feeders underground have been awarded to CBEs? Please provide the names of the CBEs and the contracts awarded to each.

100% of the following architectural and engineering contracts awarded on DC PLUG have been awarded to CBEs.

- **Feeders 14007 and 14758: DDOT awarded a contract for civil design services to Soil and Land Use Technology, Inc. (CBE) for \$6 million.**
- **Feeder 15001: DDOT awarded contracts for civil design services to HB-AB-EXP (CBE) for \$2 million and AMT for \$3 million.**
- **Feeders 14702 and 118: DDOT awarded a contract for civil design services to HB-AB-EXP (CBE) for \$2 million.**
- **Feeder 14767: DDOT awarded a contract for civil design services to AMT (CBE) for \$3 million.**

- **Feeders 368 and 15009: DDOT awarded a contract for civil design services to Precision Systems, Inc. (95 % CBE) for \$4 million.**

87. In last year's performance oversight responses, PSC stated that PEPCO hadn't yet completed this contract on the implementation of the 5% long-term power purchase agreement for new renewable energy facilities due supply chain issues. Have these issues been rectified? Please provide an update on PCS's implementation of its 5% long-term power purchase agreement for new renewable energy facilities.

Commission Staff along with the Commission's consultant have closely monitored developments at each stage of this important initiative throughout FY 2022. Timing of the ultimate execution of this PPA initiative has been impacted by challenging market and pandemic conditions, as well as supply chain disruptions. The Commission is pleased to note that a final contract was executed by Pepco and its counterparty with Pepco filing an executed Agreement on July 25, 2022. The agreement encompasses a long-term 15-year clean energy power purchase agreement (PPA) for a portion of the output and capacity of a new large-scale solar facility within the PJM Interconnection regional grid territory, which includes the District.

The Commission approved Pepco's long-term PPA agreement with a counterparty through Order No. 21413 on August 3, 2022. This PPA will be included in Pepco's Standard Offer Service (SOS) program for default service customers in the District. Pepco remains the SOS administrator and procures all the wholesale power generation requirements for SOS customers. Pepco subsequently bills SOS customers for the entire cost of this program. Pepco's default SOS service provides power to about 85% of residential customers and the SOS program provides about 30% of the overall retail power supply for DC (for both residential and commercial sales combined). Other unregulated suppliers provide power supply for the balance of customers and energy sales in the District. This PPA will supply approximately 154,000 MWhs per year of clean energy over a 15-year period, beginning in late 2024 (equivalent to 5% of SOS service).

The PPA agreement was executed with an affiliate of Invenergy, and the PPA includes the sale of energy, RECs, and capacity. The resulting solar facility is expected to produce approximately 154,000 MWh per year, with a peak capacity of 73 MW or approximately 29% of the solar project's 250 MW total nameplate capacity.

The solar project is located in Franklin County, Ohio (approximately 10 miles west of downtown Columbus). The Commission anticipates that renewable energy from the Agreement will begin to serve the target quantity of 154,000 MWhs per year of SOS load during December 2024 and beyond.

Based on present market conditions and a December 2024 commercial operation date, the Commission expects the net financial impact on SOS customer rates to be minimal once the full annualized effect of the Agreement is fully incorporated into SOS rates (based on current market conditions). Any additional load-following expenses associated with the delivery of 154,000 MWhs of intermittent renewable energy from the solar project will also

be reflected in total SOS rates. The Commission expects that any net impact on SOS rates will be proportionately shared across all SOS sales within each SOS customer class.

At this time, construction of the project has been approved by the appropriate Ohio Power Siting Board. Further, the project has completed interconnection and construction service agreements with PJM. The project is now in the engineering and procurement phase. Commission Staff will continue to closely monitor project developments, including construction updates and any pending execution of contracts for the remaining capacity and energy of this large facility.

During FY 2023 and beyond, the Commission will be reviewing a possible expansion of this program beyond the initial 5% and initial 154,000 MWhs per year provided by this initial clean energy PPA. The Commission continues to engage a consultant to assist in this endeavor and utilizes a stakeholder working group on SOS matters.

88. Please describe and provide an update on Pepco's Transportation Electrification Initiative and its effect on the electric grid.

The Commission established Formal Case No. 1167 in November 2020, to commence a climate policy proceeding to consider whether and to what extent utility or energy companies under its jurisdiction are meeting and advancing the District of Columbia's clean energy and climate goals.

In December 2022, Pepco applied for specific approval by the Commission for an initial three-year phase of its Climate Solutions Plan which is called the CSP Phase 1 Application. Pepco is seeking to implement eleven programs in its CSP Phase 1 Application programs beginning January 1, 2024, for a three-year period. This application includes eight specific EV-related programs.

The Commission also has an open Electric Vehicle (EV) case under FC1155 and has also previously considered EV matters under its prior Grid Modernization case (FC1130). There are also a number of other open cases, which have a nexus with climate business plan matters, including the Commission's energy efficiency case—FC1160.

With respect to EV matters, the Commission has already taken meaningful steps in fostering the expansion of EVs in the District. Pepco is implementing actions set forth in the Commission's earlier orders, including the installation of "make-ready" electric distribution system infrastructure for charging stations and the establishment of an innovative rate design to foster EVs.

- a. In response to this question last year, PSC provided that it was under the understanding the Pepco would complete a study regarding the effects of electrification on the District's electric grid, which the Commission would review. Was this study completed? If so, please describe the results. If not, please explain.

The Commission opened Formal Case No. 1167 to consider Climate Business Plans offered by the utilities in 2020. The utilities responded with their plans in 2021.

Pepco's 5-Year Action Plan organizes sixty-two individual programs into four portfolios and ten initiatives. WGL's 5-year Action Plan groups thirteen initiatives into four program areas: (1) End Use and Efficiency, (2) Infrastructure and Operations, (3) Sourcing and Supply, and (4) Transportation. Pepco and WGL have also presented 30-year versions of their climate business plans.

In July 2022, the Commission issued a request for legal briefs from parties on whether and to what extent the Commission has the legal authority to order electrification, either in whole or in part, including the phase-out of natural gas service. Pepco, OPC, and Sierra Club have each filed their own electrification studies that consider the implications of increased electrification in the District. Parties have filed their briefs and the Commission is currently reviewing all such materials in this open case.

The Commission is also aware that significant legislative action has occurred during 2022, including the Climate Commitment Act of 2022, the Clean Energy DC Building Code Amendment Act of 2022, and the Local Solar Expansion Act of 2022. Such legislative actions will have an impact on long term climate business plans filed by both utilities.

The Commission is continuing its review of various electrification studies filed by Pepco, WGL, and other parties. The Commission has hired an outside consultant to assist in the review of all electrification studies, including the timing, magnitude, and level of electric grid investment required to accommodate full or partial electrification. This transformative Commission initiative (FC1167) is expected to continue throughout 2023 and beyond.

89. Please provide an update on the Pepco rate case and the potential impact on residential consumers. Please describe PSC's position.

On June 8, 2021, the Commission adopted a Modified Enhanced Multi-Year Rate Plan (EMRP). The final Commission-approved EMRP represented a 33% reduction from Pepco's initial MRP request. The Commission had previously expressed an interest to explore alternative forms of regulation, while also addressing the need to replace aging infrastructure and meet the District's clean energy and climate goals.

The EMRP approved by the Commission provided for a gradual increase in electric bills spread over three years (2021 -2023). At the time of approval in June 2021, residential customers had not seen a net electric distribution rate increase since 2014. The approved EMRP authorized a revenue requirement of \$108.6 million spread over three years resulting in a phased-in monthly bill impact for the average residential customer of \$1.07, \$2.33, and \$1.85 in each of the years within this three-year period of 2021-2023, or a total of \$5.25 in monthly bill increases for distribution service only. A package of bill credit offsets was utilized to mitigate and phase in the rate increase over the three-year period, which included the return of some excess taxes previously collected.

Qualifying low-income customers who participate in the electric utility discount program (RAD) were exempt from these distribution rate increases. At the end of FY 2022, there were nearly 29,000 electric customers enrolled in the Commission’s RAD low-income customer utility discount program.

The EMRP also included a stay-out provision, which deferred any new Pepco distribution rate increase until early 2023. The Commission’s adjudication of any new rate request can typically entail a year to complete the regulatory review process for a traditional rate request, including a period for public participation.

The Commission continues to also deploy a senior and disabled citizen bill credit program which provides \$90 per year of bill credits for about 17,000 qualifying customers. Additionally, the Commission monitors Pepco Arrearage Mgt Program (AMP), which provides arrearage forgiveness to qualifying income customers. The Commission continues to monitor and foster the prudent use of deferred payment agreements, which represent another innovative bill payment tool. As of year-end 2022, there were approximately 4,600 customers currently enrolled in Pepco deferred payment agreements.

90. Please describe how PSC engaged with consumers to inform them of the utility shut-off moratorium ending and availability of payment plans.

The Commission undertook a variety of measures to engage with consumers to ensure there was clarity and specificity regarding the rights and responsibilities of consumers during the disconnection moratoriums and the availability of payment arrangements. In addition to up-to-date information on our website, Consumer Specialists in the Office of Consumer Specialists were available to counsel and advise consumers about the moratoriums and the availability of payment plans. The same information was also available through the Here2HelpDC initiative.

In all outreach efforts before the moratorium ended, Commission staff stressed the importance of eligible residents taking advantage of utility discount programs, existing non-COVID-related payment plans, and programs that would ensure their utility service would not be shut off.

Additionally, where possible, Commission outreach personnel visited various public forums, such as food distribution sites and other public information sites to distribute information to residents who may not have a computer to access some of the online information available. Finally, we also conducted virtual briefings, such as our quarterly Advisory Neighborhood Commissioner (ANC) briefings, to inform as wide an audience as possible of critically needed information.

91. Describe PSC’s role in promoting access to alternative energy. How can the PSC be more proactive in helping the District meet its clean energy goals?

The Commission remains committed to proactively fostering clean energy and distributed

energy initiatives and resources throughout the District. The Commission is equally committed to the monitoring of the progress of the regulated utilities with respect to advancing the District’s clean energy and climate goals.

To that end, here are some examples of recent Commission actions regarding these objectives:

- As of the end of CY 2022, the Commission has certified about 15,100 solar systems for the District’s clean energy Renewable Portfolio Standard (RPS) program, including 11,800 solar projects within the District, as well as approximately 3,300 eligible solar projects registered outside of the District.
- As of the end of CY 2022, the Commission has certified 301 District Community Renewable Energy Facilities (CREF’s)—an increase of 82 CREF’s from 219 at the year-end 2021.
- During the 12 months of CY 2022, Commission staff certified a total of 2,147 new solar systems, including 1,802 new RPS solar facilities within the District (including 82 new CREF’s) and 345 outside the District (primarily on cross-border feeders).
- RPS-certified projects now equate to 184 MW of capacity in the District, as well as 42 MW outside of the District—for a total of 226 MW.
- The total RPS-certified solar capacity of 226 MW effectively exceeds the District’s RPS solar carve-out 2022 estimated goal of 189 MW, or 2.6% of total electric 2022 District retail electricity sales. CY 2022 will be the second year that the District met or exceeded its annual RPS solar carve-out RPS estimated goal.
- The Commission continues to review and amend net metering and interconnection rules to increase the availability of distributed energy resources. In particular, the Commission has taken the following actions:
 - The Commission reviews and amends the net metering and interconnection rules to help facilitate the expansion of distributed energy resources (DER) in the District. In particular, the Commission has approved a provision which allows net metering customers to install solar systems capable of generating up to 200% of their annual energy use by 2024—previously, a customer was only allowed a threshold up to 100% of their historical usage.

Starting in 2020, the generation threshold increases by 20% annually until the generation threshold reaches 200% in 2024. In 2023 the size threshold will be 180%.

- Additionally, the Commission approved the socialization or cost-

sharing of distribution system upgrade costs of up to \$500,000 per year for the installation of CREFs—covering up to 50% of the cost, with a cap of \$25,000 per project.

- **The Commission has approved the establishment of an RPS project public interconnection queue, to foster transparency and Pepco accountability. Pepco has provided this information on its website as of mid-February 2022.**
- **The Commission continues to enhance solar system interconnection rules and monitors Pepco’s quality of service in its Green Power Connection team, with respect to solar system interconnection.**
- **The Commission has established a robust pilot projects program in its Grid Modernization initiative FC 1130 (Power Path DC), to explore ways to modernize the grid, while enhancing the use of renewable energy and distributed energy resources in the District (with funding to cover pilot projects from an escrow fund of approximately \$21M, resulting from the Exelon/Pepco merger).**
- **During 2022, the Commission issued an RFP for community heat pump pilot project(s) to support the development of a large community heat pump system(s) to replace existing fossil fuel space conditioning systems. The RFP will result in the awarding of up to \$5M of grants to help fund such projects.**
- **The Commission also recently issued an RFP on a solar aggregation and advanced inverter pilot—seeking projects that can demonstrate the benefits of advanced inverter equipment, including communication systems and the expansion of solar hosting capacity over a five-year period. The maximum amount of funding available for this project is \$3 million, which may be awarded to one or more bidders.**
- **On August 3, 2022, through Order No. 21413, the Commission approved Pepco’s 15-year renewable energy power purchase agreement (PPA) from a large solar system to be constructed in Ohio and interconnected with the PJM regional grid. The contract will be managed by Pepco and provide about 154,000 MWhs per year, equating to five percent of Pepco’s Standard Offer Service or default power supply program for District customers. . This long-term clean energy PPA initiative for the SOS program may be expanded in the future, as the Commission undertakes further study. For additional information on this PPA, see the response to Question #87 above.**
- **In January 2023, the Commission hosted the Clean Energy Summit to create a forum for industry professionals, environmental advocates, government officials, and academics to exchange ideas and discuss how utility regulators and industry experts can advance progress toward national and local clean energy goals. This**

year’s panel discussion focused on the Inflation Reduction Act, Infrastructure Investment and Jobs Act, Workforce and Supply Chain Development, and Affordability.

- **The Commission continues to foster enhanced utility clean energy and climate goal accountability through the deployment of GHG emission reporting and other related performance measures. The Commission recently established the initial creation of a public dashboard of such metrics for Pepco (called performance tracking mechanisms—PTMs).**
 - **Additionally, WGL was recently required to provide an annual GHG emission report to the PSC. Such metrics and reporting are under further review and will continue to be enhanced in a variety of Commission cases.**
 - **The Commission approved a stakeholder-informed electric Distribution System Planning process, along with periodic Non-Wires Alternative (NWA) RFPs issued by Pepco, to help foster growth in innovative distributed energy resource (DER) projects in the District in electric distribution capacity constrained areas of the City.**
 - **The Commission tracks and monitors total distributed energy resource deployment in the City and notes that nearly 380 MW of total DER capacity has been deployed thus far as of November of 22’—comprising about 18% of Pepco’s actual peak electric load in the City during 2021.**
 - **The Commission has established the DC Power Connect website to learn about the selection of alternative suppliers of energy, including renewable options.**
 - **The Commission previously established Formal Case No. 1167 in November 2020 to commence a climate policy proceeding to consider whether and to what extent utility or energy companies under its jurisdiction are meeting and advancing the District of Columbia’s clean energy and climate goals. See the detailed discussion in response to the next question.**
- a. In last year’s performance oversight responses PSC mentioned the opening of Formal Case No. 1167 to “consider whether and to what extent utility or energy companies under its purview are meeting and advancing the District of Columbia’s clean energy and climate goals.” Please provide an update on these findings and where the PSC is terms of requiring actions to help achieve the District’s Clean Energy goals?

The Commission opened Formal Case No. 1167 to consider Climate Business Plans offered by the utilities in 2020. The utilities responded with their plans in 2021. Pepco’s 5-Year Action Plan organizes sixty-two individual programs into four portfolios and ten initiatives. WGL’s 5-year Action Plan groups thirteen initiatives into four program areas: (1) End Use and Efficiency, (2) Infrastructure and

Operations, (3) Sourcing and Supply, and (4) Transportation. These plans are under review by stakeholders. Pepco and WGL have also presented 30-year versions of their climate business plans.

In July 2022, the Commission issued a request for legal briefs from parties on whether and to what extent the Commission has the legal authority to order electrification, either in whole or in part, including the phase-out of natural gas service. Pepco, OPC, and Sierra Club have each filed their own electrification studies that consider the implications of increased electrification in the District. Parties have filed their briefs and the Commission is currently reviewing all such materials in this open case. This transformative Commission initiative is expected to continue throughout 2023 and beyond.

The Commission is also aware that significant legislative action has occurred during 2022, including the Climate Commitment Act of 2022, the Clean Energy DC Building Code Amendment Act of 2022, and the Local Solar Expansion Act of 2022. Such legislative actions will have an impact on long term climate business plans filed by both utilities.

92. Describe the selection process for nominees to the PSC.

The PSC has no role in the selection process for nominees since this process is within the Mayor’s authority under DC Code § 34-801.

93. Describe the qualifications and experience a strong candidate for PSC Commissioner should have. Describe what qualifications are required in the DC Code for membership on the PSC. How do these compare with neighboring jurisdictions’ public utility regulators?

DC Code § 34-801 states in part: The members first appointed by the Mayor, by and with the advice and consent of the Council, on or after January 2, 1975, shall serve until June 30, 1978. The first individual nominated after July 1, 2022, shall have substantive expertise in electric grid modernization, renewable energy integration or technology, and, where possible, issues impacting the environment; except, that this requirement shall not apply to the renomination of a member serving on the Commission as of July 1, 2022.

The qualifications for membership on the state utility commissions of the neighboring jurisdictions are noted below.

Maryland Public Service Commission

MD Public Utilities Code Ann. §2-102 sets forth requirements for membership on the Maryland Public Service Commission. This section states that: “Each commissioner shall be a registered voter of the State. The Commission shall be: (1) broadly representative of the geographic and demographic diversity of the State and of the public; and (2) composed of individuals with diverse training and experience. “

Virginia State Corporation Commission

VA Code § 12.1-9 sets forth the eligibility and qualifications of the member of the Virginia State Corporation Commission. This section states that: “No person shall be eligible to serve as a member of the Commission unless at the time of his election or appointment he is a qualified voter under the Constitution and laws of this Commonwealth. At least one member of the Commission shall have the qualifications prescribed for judges of courts of record.”

Committee Recommendations

94. The Committee made the following policy and operating budget recommendations to the agency in its Fiscal Year 2023 Budget Report. Please provide an update on how the agency has addressed the Committee’s recommendations.
- a. The Committee recommends that PSC work to fill vacant positions. Because the Commission consistently has several vacant positions, the Committee further recommends that PSC undergo an internal review to understand how the Commission can better attract and retain personnel.

The Commission continues to use multiple recruitment tools to increase the hire rate of hard-to-fill vacancies. We have enhanced job postings to make them more attractive and better market our positions. We offer hiring bonuses to attract more competitive candidates, and additional income allowances and more robust professional development opportunities to retain them. We are growing our presence on LinkedIn to reach a nationwide candidate pool better. We believe this investment will give us access to candidates who may never see our vacancy announcement on our website alone. We continue to utilize and expand our reach on industry-specific job boards and websites to recruit for our niche and unique positions. If feasible, we may engage external contingency recruitment services firms to augment the in-house recruiting efforts. We may also consider an in-house referral program for current staff. We believe our employees are an untapped source of potential new hires and will develop a proposal to include their networks in our recruitment efforts. Finally, we will continue reaching out to all District agencies and residents by posting our vacancies on the District’s career page.

- b. The Committee recommends that PSC work to establish relationships with clean energy and environmentalist experts and groups who can provide independent expertise necessary to support the Commission’s expanded mission to advance the District’s climate policy commitments.

The Commission has competitively selected independent, well respected, and experienced consultants to advance the District’s climate policy initiatives for a number of mission-critical cases and proceedings, including FC 1167 (Utility Climate Business plan evaluation and review), FC 1050 (DER/solar interconnection), FC 1130-Grid Modernization/PowerPath DC (Value of DER Study, Clean Energy Act analytical framework/metrics and related stakeholder

working group -GD 2019-04-M, FC 1154 (project pipes II), and FC 1017 (clean energy PPA's for Pepco's SOS power supply default service program).

These independent experts are providing valuable support for the Commission, as it seeks to fulfill its expanded mission related to climate and clean energy.

The Commission conducted its annual Clean Energy Summit in February 2023 to continue to solicit the advice of stakeholders and experts.

Importantly, the Commission sponsors numerous working groups to solicit advice from energy and environmentalist experts and groups. There were and continue to be many experts involved in a myriad of Commission-sponsored working groups, including the following:

- **Clean Energy Act Implementation Working Group (GD 2019-04-M)**
 - **Six working groups used extensively in the PSC's PowerPath Grid mod initiative—FC1130. Those working groups included: microgrids, rate design, customer impact, etc.**
 - **Energy Efficiency and Energy Conservation Task Force --for Pepco's deep retrofit EE program for low to moderate income customers (FC 1148**
 - **Energy Efficiency and Demand Response (EE/DR) Working group to explore utility-sponsored energy efficiency EE/DR programs (FC1160)**
 - **Pilot Projects Governing Board (GD 2020-02-M)**
 - **Rate Design Working Group (FC 1130)**
 - **Solar Interconnection matters --RM 40 Working Group (FC 1050)**
 - **Electric Vehicle (EV) /transportation working group (FC1155)**
 - **Advanced Inverter Working Group (FC 1050)**
 - **Performance Incentive Mechanism (PIM's) working group (FC1156)**
 - **Utility Discount Programs (for low-income customers) working group.**
- c. **The Committee recommends that PSC work collaboratively with the Office of People's Counsel to ensure that grid modernization efforts and infrastructure investments are equitable distributed across the District.**

The Commission continues to collaborate with OPC on a myriad of cases encompassing the areas noted above. As the statutory representative for consumers in the District, OPC files data requests, prepares, and issues comments, and issues recommendations in each proceeding. The Commission carefully reviews the responses to each OPC data request, OPC's filed comments and OPC's recommendations in each proceeding.

OPC continues to serve as an active participant in many Commission established climate-related and clean energy working groups. During these working group activities, OPC may prepare minutes in certain working groups; make

presentations; and present its views, perspectives, and asks probing questions. These working groups, task forces, and governance boards include the following:

- **Clean Energy Act Implementation Working Group (GD 2019-04-M)**
- **Six working groups used extensively in the PSC’s PowerPath Grid mod initiative—FC1130. Those working groups included: microgrids, rate design, customer impact, etc.**
- **Energy Efficiency and Energy Conservation Task Force --for Pepco’s deep retrofit EE program for low to moderate income customers (FC 1148)**
- **Energy Efficiency and Demand Response (EE/DR) Working group to explore utility-sponsored energy efficiency EE/DR programs (FC1160)**
- **Pilot Projects Governing Board (GD 2020-02-M)**
- **Rate Design Working Group (FC 1130)**
- **Solar Interconnection matters --RM 40 Working Group (FC 1050)**
- **Electric Vehicle (EV) /transportation working group (FC1155)**
- **Advanced Inverter Working Group (FC 1050)**
- **Performance Incentive Mechanism (PIM’s) working group (FC1156)**
- **Utility Discount Programs (for low-income customers) working group.**

Additionally, OPC serves on the Commission’s Gas Procurement Working Group (FC874) with Commission Staff and WGL, and OPC participates in the Commission’s sponsored electric Productivity Improvement Working Group (PIWG) meetings, along with Commission Staff and Pepco.

In addition, individual Commissioners and staff members consult with OPC representatives on an informal basis, bearing in mind the requirements of administrative law and procedure regarding *ex parte* discussions.