



COUNCIL OF THE DISTRICT OF COLUMBIA

THE JOHN A. WILSON BUILDING
1350 PENNSYLVANIA AVENUE, NW
WASHINGTON, D.C. 20004

KENYAN R. McDUFFIE
Councilmember, At Large
Chair Pro Tempore
Chair, Committee on Business and
Economic Development

Committee Member
Executive Administration and Labor
Housing
Recreation and Youth Affairs

January 3, 2024

Chairman Emile C. Thompson
Public Service Commission of the District of Columbia
1325 G Street, NW, Suite 800
Washington, DC 20005

Dear Chairman Thompson:

The Committee on Business and Economic Development (“Committee”) will hold performance oversight hearings on agencies under its purview in the first quarter of 2024. When the Council’s final schedule for performance oversight hearings is announced, I will let you know the date, time, and location for the hearing for the Public Service Commission (“PSC” or “Office” or “agency”).

In preparation for the hearing, the Committee is sending the attached pre-hearing questions for your response. Please submit your responses no later than **5:00 p.m. on Wednesday, January 24, 2024**, in Word or Excel format, as applicable, and *minimize the use of attachments*. Note that the Committee will make agency responses publicly available. If there are answers or documents that should be redacted, please provide an unredacted copy for the Committee and a redacted copy for public review.

Please contact Justin Kim, Committee Director, at jkim@dccouncil.gov, with any questions.

Sincerely,

Kenyan R. McDuffie

Racial Equity

1. In the context of the Commission and its mission, what are three areas, programs, or initiatives where you see the most opportunity to address racial inequity?

Meaningful Community Engagement

While the Commission has an excellent outreach team, there is significant potential to build upon racial equity by continuing to engage with the communities that we serve. We plan to improve public participation that would allow the voices and perspectives of current and historically marginalized groups to be included 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.

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. As discussed further in our response to Question 2, in GD-2019-04-M, the Commission included the development of metrics for social equity, racial equity, and environmental justice as a directive during the creation of the Commission's standardized benefit-cost analysis (BCA) framework.

Increased Participation in Utility Discount Programs

Another area of great opportunity is in participation in utility discount programs (UDPs) that assist low-income District residents in reducing their utility costs. These programs include:

1. **The Residential Aid Discount Program (RAD), designed to assist the District's low-income customers in making their electric bills more affordable, is funded by DC electric distribution customers through a Commission-approved surcharge. It provides eligible customers with a monthly credit for their distribution charges.**
2. **The Residential Essential Service Program (RES), established for Washington Gas customers in the District, provides low-income gas customers with greater affordability towards their total gas bills. It provides eligible customers with a discount on a portion of natural gas used during the winter heating season, from November 1st through April 30th.**

Although these programs (RAD/RES) do not directly address racial equity, data has shown that there is a correlation between race and lower-income households. Increasing participation in these programs would therefore address racial inequity.

The Commission is currently looking at the UDPs to determine what it can do to further support these programs and increase participation rates. This includes partnering with sister agencies, including the Office of the People’s Counsel, to increase awareness and access to UDPs.

The Commission would like to note that meaningful community engagement and policy decision making are two areas that we highlighted in our responses last year. Although we have made progress in these areas, there are still challenges and needs that must be addressed, including educational and communication gaps, allocation and reallocation of resources, and tracking metrics to further the goal of racial equity.

2. Do you think there are any areas/programs where the Commission has had success in building racial equity over the past year? What areas or programs?
 - a. **DEI Committee:** The Commission established a Diversity, Equity, and Inclusion Committee in January 2023 that allows staff to weigh in on the Commission’s organizational culture and expectations. This Committee elevates diversity, equity, and inclusion through a clear and transparent statement of purpose that invites all voices to be heard, fair and impartial access to opportunities and resources, and inclusive representation. Staff engages through open dialogue, collaborative internal events, and DEI personal and organizational development and workshops. To date, the Committee has organized educational panels around black history and women’s history, a wellness workshop, a community outreach initiative, and contributed to the establishment of the Commission’s core values. The mission of the Committee is to develop and promote a culture where every staff member is valued, empowered, and motivated to work towards the Commission’s mission, vision, and goals.
 - b. **General Docket No. 2019-04-M:** In GD 2019-04-M, “In the Matter of the Implementation of the 2019 Clean Energy D.C. Omnibus Act Compliance Requirements,” the Commission included the development of metrics for social equity, racial equity, and environmental justice as a directive during the creation of the Commission’s standardized benefit-cost analysis (BCA) framework. Specifically, the Commission directed its staff to establish a working group and consult with an equity expert facilitator to develop metrics that comport with the Racial Equity Achieves Results (REACH) Act. As the Council is aware, the REACH Act establishes, amongst other things, the Office of Racial Equity (ORE) to further the goal of achieving racial equity. The REACH Act defines “racial equity” as “the elimination of racial disparities such that race no longer predicts opportunities, outcomes, or the distribution of resources for residents of the District, particularly for persons of color and Black residents.” Through GD 2019-04-M, the Commission will utilize ORE’s racial equity tools to guide meaningful community and

stakeholder input into its decision-making for the creation of energy justice metrics.

3. Consider the demographic data the Commission collects, tracks, and evaluates as part of its operations. Do you collect information on race and geographic area? If not, why not?

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 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 several circumstances. We collect information by Ward in connection with our processing of solar facility applications and with electric vehicles (EVs). We also collect information by Ward and neighborhood in connection with determining the reliability of electric distribution facilities. Finally, we collect and track the reliability of data by Ward regarding gas leaks and pipeline safety.

4. Consider one operational data point and one performance data point where you collect race information or could collect race information. 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 the utilities' compliance with voluntary commitments regarding minority hiring and efforts to use diverse suppliers.

5. What are two new areas or programs where the Commission has significant potential to succeed in building racial equity? Please elaborate on why you chose those two areas.

- a. **Clean Energy Summit: The Commission's annual Clean Energy Summit is an event that discusses the latest advancements, challenges, and opportunities in the clean energy sector. Through this initiative, the Commission can meaningfully bring residents, specifically local students, and certified enterprise businesses, into the conversation. The Clean Energy Summit allows both direct and indirect communication with our residents who historically have not been a part of the dialogue. The clean energy transition allows the District to break some barriers and create new pipelines so that all have a fair chance to participate in and take advantage of all the great opportunities that are before us. We chose to highlight this area because District residents are at the center of everything we do and building agency amongst community members will help them competently contribute to the clean energy transition happening in the District.**

b. **Internal Accountability:** The mission of the Commission is to serve the public interest. Accountability starts with individual and collective awareness of the complexities of the barriers and obstacles that community members face. The Commission is working with the Office of Racial Equity to facilitate racial equity training for all its staff. This will allow staff to examine personal identity, bias, and both personal and collective contribution to the creation and/or reproduction of inequitable practices. We chose to highlight this area because it allows every staff member to take the necessary steps of identifying the barriers that predict success or failure in our current policies and procedures. The work we do is complex, and it is important that as we create metrics, data, and benchmarks, we are mindful that they do not reinforce superficial equity.

6. Consider what a racially equitable District of Columbia would look like. What are three ways the Commission's operations would reflect this achievement?

The Commission's vision remains the same and is aligned with the Mayor's Office of Racial Equity. A racially equitable D.C., 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 aims to ensure equally high outcomes for all by removing predictability of success or failure that currently correlates with any racial, social, or cultural factor.

The Commission is committed to reflecting this vision by intentionally applying a racial equity lens, specifically internally through the development of our employees, externally through utility and stakeholder accountability, and economically through the assessment and reasonable adjustment of our supplier diversity program.

7. In prior years, 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 achieving the 25% spend goal. Please provide an update on those efforts, what the results were on PSC's goals, whether they were achieved, and, if not achieved, how PSC plans on achieving this goal.

As the Committee is aware, in March of 2021, the Commission executed revised MOUs with the Potomac Electric Power Company, Washington Gas Light Company, and Verizon, D.C. (collectively the "Utilities") regarding contracts and procurement practices related to supplier diversity. The voluntary MOUs encourage the Utilities to award at least 25 percent of their total procurement spend to minority, women, service-disabled veterans, veterans, and LGBT-owned businesses as well as not-for-profit companies. All three Utilities exceeded the required amount. Verizon's percentage was 46.9%. Pepco's percentage was 41.6%. WGL's percentage was 27.9%.

The Commission held its second Supplier Diversity hearing on July 27, 2023. It was a hybrid public event, hosted in person and broadcasted live on the Commission’s YouTube channel. The Commission’s focus was on ‘commitment versus compliance’ and looked at whether diverse businesses were reasonably utilized by District regulated utilities in furtherance of fair and open competition.

Each utility representative had 5-7 minutes to give an overview of their Supplier Diversity 2022 Annual Report and 2023 Plans. The overview included a summary of the Utilities’ use of diverse suppliers including tracking metrics, diverse spend average, total spend average, and average annual growth; any staff and policy changes to its diversity office; outreach efforts; reporting practices; and lessons learned. Representatives responded to questions from the Commissioners relating to progress, improvements, and challenges in the procurement process.

Through the proceeding, the Commission evaluated the Utilities’ commitment to their respective voluntary MOUs and whether they are delivering results that are leading to quantifiable improvements. The Commissioners also reviewed the quantitative data provided by the Utilities and engaged with both the Utilities and suppliers for qualitative data. The Commission confirmed that all the utilities met or exceeded their goal of 25% spending with diverse businesses but acknowledged that some utilities were expressing difficulty meeting CBE goals with local spending.

To understand the challenges, the Commission created an opportunity to hear from local businesses through intimate conversations with suppliers. To date, the Commission has convened two lunches with suppliers that allow its Commissioners to have direct engagement with and input from suppliers, identify and assess any needs/gaps, and promote MOU 2021 accountability.

The Commission plans to continue its evaluation of the Utilities’ use of diverse suppliers to determine how reporting and outcome can be more impactful for the District residents.

General Questions

8. 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; and
 - 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

9. Is the Commission operating under a full or partial hiring freeze? If so, why?

The Commission is not operating under a full or partial hiring freeze.

10. 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 Attachments 10-1 through 10-12.

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; and

See Attachment 10a.

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

The Commission received funding for an additional three positions in FY 2024:

- **Electrical Engineer, CS-13 (OTRA);**
- **IT Specialist, CS-11 (OIT);**
- **Procurement Analyst, CS-11 (ODED).**

In addition, the Commission has a Diversity, Equity, and Inclusion Officer in the Office of the Chairman. Previously, this position was entitled Regulatory Affairs Specialist.

11. Since the COVID-19 public health emergency, employers, including the District government and its agencies, have adjusted to remote work. More recently, some employers have begun implementing hybrid remote work/in-person work schedules. Please describe the Department’s hybrid/in-person work policy, whether and when the Department requires employees to physically be in the office, and whether there are any plans for future adjustments.

As a result of the pandemic, the Commission implemented a hybrid/in-person work policy. Employees are required to report to work in-person a minimum of two days a week. Employees were provided with equipment and resources necessary to work from home to ensure that their home offices are as successful as their offices at work. Meetings are hybrid and take place either in person or over Teams and Zoom.

Once per month, all employees are mandated to attend an in-person “All Hands Meeting.” At this meeting, employees are provided with upcoming events, informed of the accomplishments of various divisions and the achievements of individual team members.

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 keep employees engaged via training, in-office wellness events, an employee appreciation event, new employee virtual walkarounds, and other events.

At this time, a decision has not been made regarding future adjustments to the Commission’s work policy.

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. 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 2023 and Fiscal Year 2024, to date;

See Attachment 14a.

- 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 2023 and Fiscal Year 2024, to date;

See Attachment 14b.

- c. A list of travel expenses, if any, arranged by employee for Fiscal Year 2023 and Fiscal Year 2024, to date, including the justification for travel;

See Attachment 14c.

- d. A list of all employee bonuses or special award pay, raises, and step increases granted in Fiscal Year 2023 and Fiscal Year 2024, to date;

See Attachment 14d.

- e. A list of the total overtime and workers' compensation payments paid in Fiscal Year 2023 and Fiscal Year 2024, to date, including the number of employees who received workers' compensation payments, in what amounts, and for what reasons.

The agency does not authorize overtime. The expenditure of \$756.74 in overtime in FY 2023 occurred in error due to time entry. The agency made no workers' compensation payments in FY23 and no such payments have been made in FY24 to date.

- 15. For Fiscal Year 2023 and Fiscal Year 2024, to date, what was the total cost for mobile communications and devices, including equipment and service plans?

FY 2023:

In FY 2023 the Public Service Commission spent a total of \$23,469.01 on mobile communications and devices, with \$2,749.95 for equipment and \$20,719.06 for service plans.

FY 2024:

In FY 2024 to date, the Commission has spent a total of \$3,760.80 on all on service plans with no expenditures for equipment.

- 16. For Fiscal Year 2023 and Fiscal Year 2024, 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 2023 and Fiscal Year 2024, 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 2024, including the anticipated agency(ies), purposes, and dollar amounts.

The Commission is currently not anticipating any additional intra-district transfers in FY 2024.

18. For Fiscal Year 2023 and Fiscal Year 2024, 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 2023 and Fiscal Year 2024, 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.

20. Please list all MOU entered into by the Commission during Fiscal Year 2023 and Fiscal Year 2024, 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 20.

21. 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 2023 and Fiscal Year 2024, 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.

22. 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.

23. 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 2023 and Fiscal Year 2024, 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 2022, Fiscal Year 2023, and Fiscal Year 2024, to date, including the amount budgeted, actual dollars spent, and any remaining balances;
 - b. An update on all capital projects planned for Fiscal Year 2024 through Fiscal Year 2027;
 - c. Whether the capital projects begun, in progress, or concluded in Fiscal Year 2022, Fiscal Year 2023, and Fiscal Year 2024, to date, have an impact on the operating budget of the Commission. If so, please provide an accounting of such impact.

The Commission has no capital projects.

24. 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 2022, 2023, and the first quarter of 2024. 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 2022 and 2023 for each program and activity code.
 - b. Attach the cost allocation plans for Fiscal Year 2022 and Fiscal Year 2023.

- c. In Fiscal Year 2022 or Fiscal Year 2023, 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 24.

25. Please provide a list of all budget enhancement requests (including capital improvement needs) for Fiscal Year 2023 and Fiscal Year 2024, to date. For each, include a description of the need and the amount of funding requested.

The Public Service Commission did not request any program enhancements for the operating budget for Fiscal Year 2023, or in Fiscal Year 2024 to date. The agency has no local or capital budget.

26. Please list, in chronological order, every reprogramming in Fiscal Year 2023 and Fiscal Year 2024, 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 2023 and Fiscal Year 2024, to date.

See Attachment 26.

27. Please list each grant or sub-grant received by the Commission in Fiscal Year 2023 and Fiscal Year 2024, 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 27.

28. Please describe any grant the Commission is, or is considering, applying for in Fiscal Year 2024.

The Commission applies and receives an annual grant from the U.S. Department of Transportation for the Pipeline Safety program in the District each year. The grant funds, in the range of \$500,000 (requiring a match of 20%), cover the period from January 1st through December 31st each year and fund approximately 3 FTEs. The agency has applied for the Calendar Year 2024 grant. No other federal grants are anticipated in Fiscal Year 2024.

29. Please list each contract, procurement, and lease, and grant ("contract") awarded, executed, extended, or option years exercised by the Commission during Fiscal Year 2023 and Fiscal

Year 2024, 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, exempt from competitive 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 29.

30. 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.

31. Please list all settlements entered into by the Commission or by the District on behalf of the Commission in Fiscal Year 2023 and Fiscal Year 2024, 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.

32. Please provide the total number of administrative complaints or grievances filed against PSC in Fiscal Year 2023 and Fiscal Year 2024, 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 2023 and Fiscal Year 2024, to date, describe the resolution.

The Commission has had no administrative complaints or grievances filed in FY2023 and FY2024 to date.

33. 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 2023 and Fiscal Year 2024, to date, regardless of whether those allegations were resolved.

The 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 and contractors of their responsibility to ensure that the Commission remains a workplace free from inappropriate conduct. In addition, all employees and contractors have electronically acknowledged and received an electronic version of Mayor's Order 2023-131, "Sexual Harassment Policy, Guidance and Procedures," dated October 31, 2023.

In the event of a sexual harassment allegation, employees may 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 and 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, who is the Chairman of the Commission. Depending on the circumstances and the recommendation of the Hearing Officer, the offender may be terminated.

The Commission has had no allegations of sexual harassment in FY 2023 and FY 2024, to date.

34. 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 2023 and Fiscal Year 2024, to date.

Each year, the Commission is audited by the U.S. Department of Transportation's 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 2023 audit score for the grant gave the Commission a 100% score. FY 2023 is the sixth year in a row in which the Commission received a 100% score on its PHMSA rating of programmatic performance.

35. Please describe any spending pressures the Commission experienced in Fiscal Year 2023 and any anticipated spending pressures for the remainder of Fiscal Year 2024. Include a description of the pressure and the estimated amount. If the spending pressure was in Fiscal Year 2023, describe how it was resolved, and if the spending pressure is in Fiscal Year 2024, describe any proposed solutions.

The agency did not have any spending pressures in FY 2023. No spending pressures are anticipated for the remainder of FY 2024.

36. Please provide a copy of the Commission’s Fiscal Year 2023 performance plan. Please explain which performance plan objectives were completed in Fiscal Year 2023 and whether they were completed on time and within budget. If they were not, please provide an explanation.

See Attachment 36. All performance plan objectives were completed in FY23, on time and within budget.

37. Please provide a copy of the Commission’s Fiscal Year 2024 performance plan, as submitted to the Office of the City Administrator.

See Attachment 37.

38. Please provide the number of FOIA requests for Fiscal Year 2023 and Fiscal Year 2024, 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 23 (October 1, 2022 - September 30, 2023)

# of Requests Received	# of Requests Granted (in whole)	# of Requests Granted (in part)	# of Requests Denied (in whole)	Other Disposition	# Pending	Average Response Time	Estimated # of FTEs	Estimated # of Hours Spent	Cost of Compliance**
7	0	2	3	2*	0	15 days	2	44.5	\$2,343.72

* The Public Service Commission endeavors to respond to all FOIA requests within the statutory time period. Many PSC records are publicly available through the Commission e-docket system and do not require FOIA requests to access; these referrals are therefore categorized as a denial, although the records are publicly available to the requester.

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

FY 24 (October 1, 2023 - to Date)

# of Requests Received	# of Requests Granted (in whole)	# of Requests Granted (in part)	# of Requests Denied (in whole)	Other Disposition	# Pending	Average Response Time	Estimated # of FTEs	Estimated # of Hours Spent	Cost of Compliance**
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1	0	1	0	0	0	14 days	2	10	\$645.90
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* Total dollar amount expended by the public body for processing FOIA requests; no fees were collected by the public body.

39. Please provide a list of all studies, research papers, reports, and analyses that the Commission prepared or contracted for during Fiscal Year 2023 and Fiscal Year 2024, to date. Please state the status and purpose of each, and, if complete, attach a copy.

2023 Renewable Energy Portfolio Standard Report (report date May 1, 2023)

The Renewable Energy Portfolio Standard Act (“REPS Act”) requires the Commission to annually report to the Council on the status of implementation of the Renewable Energy Portfolio Standards (“RPS”). The annual report fulfills the reporting requirements outlined in the REPS Act and amended by the Clean Energy D.C. Omnibus Amendment Act of 2018 for the most recent compliance year of 2022. The 2023 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 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 OTRA compliance reviews, audits, inspections, utility assessments, and annual surveys. Among the Report’s many highlights are 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://dcpsec.org/getattachment/bc780884-1515-4cf2-9ff3-aba75c951a16/2021-Statistical-Report.aspx>

Manhole Inspection Report

The Commission requires Pepco to file quarterly manhole inspection reports in the PEPMIR docket. These reports allow for the continued oversight of Pepco’s implementation of remedial and investigative activities that are intended to eliminate, minimize, and avoid the reoccurrence of manhole fire incidents in the District. The

expanded inspections are of manholes that house low-voltage and 13,000-volt electrical cables.

<https://edocket.dcpssc.org/apis/api/Filing/download?attachId=196027&guidFileName=d8f3de89-26f0-4763-b6c6-1469da9f7f09.pdf>

40. Please separately list each PSC employee receiving a salary of \$100,000 or more in Fiscal Year 2023 and Fiscal Year 2024, 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 40.

41. Please list in descending order the top 25 overtime earners at PSC in Fiscal Year 2023 and Fiscal Year 2024, 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.

The Commission does not authorize overtime.

42. For Fiscal Year 2023 and Fiscal Year 2024, 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 42.

43. 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.

The first agreement is between the Commission and the American Federation of Government Employees (AFGE), Local 1403, effective from October 1, 2022, through September 30, 2025, and covering the attorneys in the Office of the General Counsel. This agreement is currently in effect. See Attachment 43a.

The second agreement is 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, 2018. This agreement, which covers non-managerial and non-confidential employees, is currently in effect. See Attachment 43b.

44. 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 2023 or Fiscal Year 2024, 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.

45. 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	§34-912 (a)(7)	Feb 15 of each year	Compliant

46. 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.

In addition to trainings offered through PeopleSoft, four in-person training classes took place in FY 2023 and FY 2024 to date:

- **Contract Administrator Training, D'Andre K. Dorn, Ph.D., facilitator, OCP, 26 employees.**
- **Integrated Case Management System training (general overview), Charlie Martinez and Lynn Lear, facilitators, Softek, 57 employees.**
- **Integrated Case Management System training (for the Office of the General Counsel), Jeannette McIver, facilitator, Softek, 11 employees.**
- **Integrated Case Management System training (for the Office of Technical and Regulatory Analysis), Jeannette McIver, facilitator, Softek, 17 employees.**

Also, the Commission mandates five training classes each year:

- **Ethics, through BEGA, all employees.**

- **Sexual Harassment training (agency- specific training), through DCHR, all employees.**
- **Cybersecurity training, through OCTO, all employees.**
- **Performance Management training (agency specific training), through DCHR, all employees.**
- **Diversity/LGBTQ training (agency specific training), through Mayor’s Office of LGBTQ Affairs, all employees.**

47. 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.

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, 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 the 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

48. Please attach copies of the required annual **small business enterprise (“SBE”) expenditure** reports for the Commission for Fiscal Year 2023 and Fiscal Year 2024, to date.

See Attachments 48- 1 and 48- 2.

- 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 2023? Please provide a copy as an attachment.

In FY23 and FY24, the Commission routinely checks the DCSS and the DSLBD database for SBEs and if not available, we look for qualified CBEs. Our needs are often specialized; however, when feasible we may modify our requirements to fit the capability of SBEs and CBEs. We engage in frequent communication with DSLBD to request their assistance in identifying and communicating with qualified SBEs. When uncertain about the capability of certain SBEs, we often contact them for clarification on how to improve our scopes of work, timing, or simply to gain insight on why they did not submit a proposal or respond to a solicitation. These practices are on-going.

In FY24, the Commission attended the District Connect expo held by DSLBD. This is an expo designed to empower both CBEs and local businesses. We manned a table, connected with SBEs, handed out agency materials, and held lively discussions with attendees. We plan on participating in this event on an annual basis.

49. Please provide the Commission's SBE goals for Fiscal Year 2022, Fiscal Year 2023, and Fiscal Year 2024.

In FY22, the Commission surpassed its SBE Expenditure goal by spending \$959,476, or 108% of our goal with SBEs.

In FY23, the Commission spent \$1,240,591, which is 79% of our SBE Expenditure goal. This shortfall is due to the 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 FY24, the Commission has an unadjusted goal of \$2,600,789. This number does not reflect the appropriate adjustments and will be modified. We expect this number to be reduced to be in alignment with previous year's goals.

50. Please provide a list of SBE contracts awarded to minority and women owned businesses during Fiscal Year 2022, Fiscal Year 2023, and Fiscal Year 2024, to date.

See Attachment 50.

The Commission's Operations

51. Please describe any initiatives that the Commission implemented in Fiscal Year 2023 and Fiscal Year 2024, 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.

PSC's Internal Operations

The Commission seeks to become more efficient regarding similar work taking place in different divisions, which will enhance the current employee experience and morale. To accomplish this outcome, one strategy that the Office of the Executive Director (ODED) is implementing is a system to document multiple enterprise-level processes. By documenting these processes, all parties should understand their roles and timelines in complex processes. For the Commission to operate at peak efficiency, it is critical that there is alignment between all parties about the established processes and procedures.

To date, we have documented the key processes, roles, and responsibilities of the Office of Human Resources (OHR) and the Office of Procurement (OPC).

For OHR, by documenting the four key HR processes (recruitment, onboarding, performance management, and exit interviews) we can be sure that all team members are aware of ways that HR can provide support to teams. Specifically, we hope that the updated onboarding process will ease new employees' transition to PSC and allow for longer tenure.

For OPC, by documenting the general lifecycle of a procurement action, all team members at PSC should have a strong understanding of the procurement process, the steps involved, and the ideal timeframe for every milestone. The procurement process can be complex, so by documenting it clearly and concisely, it becomes more accessible to individuals across the organization at every level.

In the coming months, we plan to partner with the Office of Technical and Regulatory Affairs (OTRA) and the Office of the General Counsel (OGC) to identify and document enterprise-level processes.

PSC Interactions with Outside Parties

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 23, 2023, to discuss contracts and procurement practices related to supplier diversity.

PSC started a new initiative called "Chat & Chew," which are focus group conversations with different businesses to hear their broad perspectives and

experiences. This series also includes informal conversations with DCPSC Commissioners on how local companies can work with utility companies, including Pepco, Washington Gas, and Verizon. These conversations will allow businesses that have worked with the utilities to share their knowledge and experience with those that have historically been left out of the energy sector conversation and create a small intimate space in order to have an open dialogue. PSC's goal is to host a Chat & Chew three times per year.

52. Describe the Commission's top five priorities and explain how the Commission plans to address these priorities in Fiscal Year 2024. Provide an update on how the Commission addressed the top priorities listed in response to this question last year.

Top Five Priorities for FY2024

1. **Clean Energy Act Compliance.** In 2024, the Commission plans to hire a consultant to develop a standardized benefit-cost analysis framework to be used when considering the effects of utility proposals on global climate change and the District's public policy commitments. In addition, to review future programs and actions by the utilities regulated by the Commission based on best regulatory practices using the SCT as the primary test and the TRC as a secondary test. Moreover, the utilities have filed climate business plans in Formal Case No. 1167, for which the Commission is reviewing and monitoring for further action.

2. **Grid Modernization.** In 2024, the Commission will monitor the RFP for the community heat pump pilot project awarded to two applicants in 2023. The Commission plans to revise the RFP for a Solar Aggregation and Advanced Inverter Pilot Project RFP to attract more applicants.

3. **Infrastructure Improvements.** In 2024, the Commission will continue oversight of the DC PLUG, Capital Grid Project, and PROJECTpipes.

4. **Reasonable Rates.** In 2024, the Commission will deliberate on Pepco's pending Multiyear Rate Plan rate increase application.

5. **Equity Framework:** The goal of the Commission's equity framework is to bridge the opportunity gaps by ensuring that race does not predict the opportunities, resources, or outcomes available to District residents.

Update on FY2023 Top Priorities

1. **Clean Energy Act Compliance.**

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

- In CY23 the Commission certified 1,718 new solar facilities for participation in the District’s RPS program, including 66 new CREFs. As a result, we now have over 17,200 systems certified for the District’s RPS program as of the end of CY23, including 367 CREFs. CY 2023 is the third consecutive year in which the District has achieved its RPS program solar energy annual target objective. Additional information about these efforts is noted herein.
- Regarding the long-term power purchase agreement to serve 5% of the SOS load, on October 26, 2023, by Order No. 21918, the Commission directed Pepco to file a draft RFP and PPA with more flexible terms that will attract bidders to supply the renewable energy. Pepco requested and the Commission granted a short extension. On January 16, 2024, Pepco filed the RFP and PPA. The Commission posted a notice on January 17, 2024, soliciting comments in 7 business days. It is our goal to make a decision soon on Pepco’s draft RFP and PPA.

2. Grid Modernization.

In FY23, significant efforts were made by the Commission-coordinated Grid Modernization Pilot Projects Governance Board to execute pilot project RFPs for innovative grid modification and distributed energy resource (DER) projects.

- During 2023, the community heat pump pilot project RFP was awarded to two applicants. The goal of the community heat pump pilot project is to support the development of a large community heat pump system(s) to replace existing fossil fuel space conditioning systems.
- The Commission 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 five years. The maximum amount of funding available for this project is \$3 million. However, due to a lack of qualified applications, the Commission did not award the RFP and will revise the RFP to attract more applicants in 2024.
- The Commission’s outside consultant completed the Value of DER Study that was filed in FC1130. The Commission is soliciting comments and replies on the Study, due May 25, 2024, and July 1, 2024, respectively. The Commission will determine the next steps after receiving the comments.
- 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 PROJECT*pipes* (FC 1154 and FC 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. During 2023, the Commission continued to actively monitor compliance filings reported to the DCPSC and initiated follow-up actions as necessary. In addition to reviewing all compliance filings related to the Capital Grid Project, the Commission continues to attend monthly DDOT utility construction coordination meetings, Community Advisory Group (CAG) meetings, monitor all construction activities, and periodically inspect construction sites.

The newly rebuilt Harvard substation in Ward 1 was energized in December 2023 and is currently serving the 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. In 2023, the Commission Staff continued to attend monthly DDOT coordination meetings, DC PLUG community meetings, and DC PLUG semi-annual meetings. The Commission also continued to review electrical and civil engineering drawings, Pepco's quarterly reports on cost sharing, monitor all construction activities, and periodically inspect construction sites.

The construction of DC PLUG feeders 14900 and 368 was completed and placed in-service in 2023.

PROJECTpipes

The Commission continues to closely monitor all aspects of this project. Washington Gas Light Company's *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 has replaced or remediated approximately 35 miles of main and 8,500 services through December 15, 2023.

As directed by the Commission, the Pipes 2 independent management audit report was filed on December 13, 2023. The Commission solicited comments and will consider those comments in its deliberations.

4. Reasonable Rates.

The Commission partially approved a rate increase for Washington Gas Light Company (WGL), that went into effect on January 16, 2024. The decision, made after careful consideration of several factors, aims to address the need for operational expenses necessary to ensure continued reliable and safe natural gas services for customers in the District of Columbia, the need for affordable natural gas service, and the need to ensure compliance with the District's aggressive climate goals. The approved rate adjustment reflects the Commission's commitment to balancing the needs of consumers with the essential requirements of maintaining robust and secure energy infrastructure. Balancing the need to ensure reliability and safety of energy services with the needs of consumers for affordable natural gas service remains the Commission's top priority. The approved rate increase for Washington Gas Light Company balances these interests and encompasses just and reasonable rates.

The Commission continues to foster and monitor the utility discount program for District electric, gas, and telephone customers. In 2021, the Commission increased the income eligibility threshold for customer participation in the utility discount programs) to 80% of the area's median income, which has allowed more District residents to participate in these programs.

The Commission also continues to deploy a senior and disabled citizen bill credit program, which provides \$90 per year of bill credits for about 17,000 qualifying customers. The Commission also continues to monitor and foster the prudent use of deferred payment agreements, representing another innovative bill payment tool.

Finally, the Commission has approved arrearage management programs for Pepco and Washington Gas to help customers address account arrearages.

5. Equity Officer.

In FY23, the PSC organized educational panels around black history and women’s history, wellness workshops, and a community outreach initiative and contributed to establishing the Commission’s core values. Through this goal, the Commission has developed a shared vocabulary around equity that will lead to establishing partnerships for meaningful collaboration and communication, creating tracking indicators based on set equity outcome goals, and operationalizing equity throughout each department.

53. Please list each new program implemented by the Commission during Fiscal Year 2023 and Fiscal Year 2024, to date. For each initiative, please provide:

- a. A description of the initiative;
- b. The funding required to implement the initiative and the source of such funding;
- c. Any documented results of the initiative.

The Commission implemented no new programs in FY2023 and FY2024, to date.

54. Describe how PSC measures programmatic success and discuss any changes to outcomes measurement in Fiscal Year 2023 and Fiscal Year 2024 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 FY2023, 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 for FY23.**
- 3. Whether we resolve our consumer complaints at an informal level. We achieved our target KPI for FY23.**
- 4. Whether we consider environmental issues in adjudications and infrastructure matters. We achieved our target KPI for FY23.**

For FY2024, we have submitted revised KPIs, which will be posted shortly.

55. 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 2023 Workload Measures

WORKLOAD MEASURE	1Q	2Q	3Q	4Q	Total FY
Number of Cases Opened	511	1151	422	395	2479
Number of Orders Issued	30	24	63	483	600
Number of Pipeline Safety Inspections Conducted	128	135	106	131	500
Number of One Call Inspections Conducted	127	222	191	176	716
Number of Pay Phone Inspections Conducted	13	6	0	0	19
Number of RPS Applications Processed	584	711	408	518	2221
Number of Consumer Complaints and Inquiries Processed	294	468	399	469	1630
Number of Formal Complaint Hearing Orders Issued	7	5	4	7	23
Number of New Formal Complaints	2	1	0	1	4

56. 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.

57. Please explain the impact on the Commission of any legislation passed at the federal level during Fiscal Year 2023 and Fiscal Year 2024, to date, which significantly affected Commission operations.

None.

58. Please describe any steps the Commission took in Fiscal Year 2023 and Fiscal Year 2024, to date, to improve the transparency of Commission operations.

Greater Language Access:

- **Implementing Google Translate to the website and providing translated brochures in the six targeted languages to ensure access to consumer information**

User-Friendly Website Design:

- **Optimize the Commission's website for user-friendliness. Ensure that information is organized logically and the language is clear and easily**

understandable. Implement regular updates and conduct user testing for feedback.

Regular Website Audits:

- **Conduct regular audits of the website's content to ensure accuracy and relevance. Update language to be more consumer-friendly and provide clear pathways for visitors to access information.**

Creative Design for Reports and Brochures:

- **Redesign reports, brochures, and other informational materials with creative and engaging design elements. Use visuals, infographics, and concise language to convey key messages effectively.**

Onboarding Resources for Councilmembers:

- **Develop comprehensive onboarding resources, including documents and presentations, for new Councilmembers and staff. Provide an overview of the Commission's mission, organizational structure, programs, and priority issues.**

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

- a. A detailed description of the information tracked within each system;

Electronic Docketing System (e-Docket) Microsoft SQL Server:

This database contains all public pleadings filed with the Commission since 2002. Confidential filings are available for Commission Staff only. It also contains all public orders issued by the Commission since 1913. Older rate case pleadings have also been added to eDocket. It is located on the Commission's website. The Confidential pleadings are only accessible by Commission Staff via secure login.

e-Travel and Training Database (Microsoft SQL Server):

This database allows training and travel requests to be approved by appropriate managers and final approval by the Chairman. It also tracks the progress of the training and travel requests through the approval process. This database is accessible by Commission Staff to make training and travel requests. Users are provided with unique login credentials.

e-Invoice Database (Microsoft SQL Server):

This database allows invoices to be approved by appropriate contract administrators and final approval of contractor invoices by the Chairman. It includes all information pertaining to the processing of invoices, dates, amounts, etc., and it tracks the progress of the invoices through the approval process. This database is accessible by Commission Staff involved in the approval process of invoices. Specifically, Contract Administrators, Agency Fiscal Officer, and the Office of the Deputy Executive Director for Administrative Matters.

e-Procurement Database (Microsoft SQL Server):

This database allows for procurement requests to be approved by managers and the Chairman. It tracks the progress and approvals of procurements utilizing a workflow to route the request for approvals. It also contains all vendors used and contact information. This database is accessible by Commission Staff involved in procuring goods and services and the approval of these goods and services. Specifically, Contract Administrators, Agency Fiscal Officer, and the Office of the Executive Director of Administrative Matters Staff.

Renewable Portfolio Standard Application Tracking Database for OTRA (Microsoft SQL Server):

This database tracks application status of the Renewable Portfolio Standard Applications (RPS) filed with the Commission. This database is accessible to select Commission Staff handling RPS Applications as well as parties filing RPS applications.

Automated Workflow System for OCE (Cloud-based Microsoft SQL Server):

This database tracks the inspections and results of natural gas field inspections. This database is accessible to the Office of Compliance and Enforcement (OCE) Staff.

Consumer Complaints Management System for OCS (Microsoft SQL Server):

This database contains the details pertaining to all consumer complaints and inquiries. This database is accessible by the Chairman, Commissioners, Executive Director, and OCS Staff.

Competitive Local Exchange Carrier (CLEC) Database for OTRA (Microsoft Access):

This database contains the name, contact information and status of all of the Competitive Local Exchange Carriers (“CLECs”) that have been certificated by the Commission. In addition, the database contains the annual survey information from all certificated CLECs. The annual information includes such items as annual jurisdictional revenues, total number of lines, total number of customers, whether the lines or customers are residential or commercial, and the method by which the CLEC is providing service (i.e. through its own facilities or through Verizon’s facilities, or a combination of both).

Pay Telephone Compliance Inspections Database for OCE (Microsoft Access):

This database contains details of each pay telephone (including removed) located in the District of Columbia.

Natural Gas Pipeline Safety Database for OTRA (Microsoft Access):

This database contains information pertaining to the inspection of natural gas construction projects in the District.

Master Meter Building Inspections Database for OCE (Microsoft Access):

This database contains the records of findings pertaining to the removal of master meters from apartment buildings.

Verizon Authorized Payment Locations Database (VAPL) for OCE (Microsoft Access):

This database tracks all authorized payment locations for Verizon.

- b. The age of the system and any discussion of substantial upgrades that have been made or are planned to the system; and

Electronic Docketing System (e-Docket):

Approximately 20 years old. This system continues to be updated with improved functionality and automation in mind for both staff and external users. Our new ICMS (Integrated Case Management System) ties directly into e-Docket system and will greatly improve our ability to manage all case related work and process them more efficiently.

e-Travel and Training Database:

Approximately 9 years old. The system was upgraded in FY20 to include functionality enhancements and improved user efficiency. Additional features and functionality will be added this year as well. A redesign with substantial upgrades is planned to start in FY2024.

e-Invoice Database:

Approximately 10 years old. The system was upgraded in FY20 to include functionality enhancements and improved user efficiency. Additional features and functionality will be added this year as well. A redesign with substantial upgrades is planned to start in FY2024.

e-Procurement Database:

Approximately 11 years old. The system was upgraded in FY20 to include functionality enhancements and improved user efficiency. A redesign with substantial upgrades is planned to start in FY2024.

Renewable Portfolio Standard Application Tracking Database - (OTRA):

Approximately 5 years old. This database is fully automated and housed on our website. We are in the process of an enhancement project to further automate the system and provide more usability and security upgrades.

Automated Workflow System - (OCE):

Approximately 8 years old. This database is adequate for all of the Commission's needs at this time. No future upgrade is planned.

Consumer Complaints Management System (OCS):

Approximately 11 years old. This system will be decommissioned with a new system, replacing it with a planned completion date of FY2024.

Competitive Local Exchange Carrier (CLEC) Database – (OTRA):

Approximately 21 years old. The Access database is adequate for all of the Commission's needs at this time. No future upgrade is planned.

Pay Telephone Compliance Inspections Database - (OCE):
Approximately 21 years old. The system was upgraded FY17 to include functionality enhancements and improved user efficiency. No future upgrade is planned.

Natural Gas Pipeline Safety Database - (OTRA):
Approximately 20 years old. No substantial upgrades are planned for this database. The Access database is adequate for all of the Commission's needs at this time.

Master Meter Building Inspections Database - (OCE):
Approximately 18 years old. No substantial upgrades are planned for this database. The Access database is adequate for all of the Commission's needs at this time.

Verizon Authorized Payment Locations Database (VAPL) - (OCE):
Approximately 27 years old. No substantial upgrades are planned for this database. The Access database is adequate for all of the Commission's needs at this time.

- c. Whether the public can access all or part of each system.

Electronic Docketing System (e-Docket):
The public can access the public database through the Commission's website and mobile app. There is a separate portal for Commission staff only for confidential files.

e-Travel and Training Database:
The public does not have access to the database.

e-Invoice Database:
The public does not have access to the database.

e-Procurement Database:
The public does not have access to the database.

Renewable Portfolio Standard Application Tracking Database - (OTRA):
The public does not have access to this database. There is a separate portal for the public to submit and monitor their RPS application.

Automated Workflow System - (OCE):
The public does not have access to this database.

Consumer Complaints Management System - (OCS):
The public does not have access to this database. The public should not have access because it contains proprietary customer information such as account numbers and/or Customer Proprietary Network Information. Our new system will allow consumers to submit complaints, inquiries, and communicate with Commission staff.

Competitive Local Exchange Carrier (CLEC) Database - (OTRA):

The public does not have access to the database. The information contained in this database is confidential.

Pay Telephone Compliance Inspections Database - (OCE):

The public does not have access to the database.

Natural Gas Pipeline Safety Database - (OTRA):

The public does not have access to this database.

Master Meter Building Inspections Database - (OCE):

The public does not have access to this database.

Verizon Authorized Payment Locations Database (VAPL) - (OCE):

The public does not have access to this database.

60. Please provide a detailed description of any new technology acquired in Fiscal Year 2023 and Fiscal Year 2024, to date, including the cost, where it is used, and what it does. Please explain whether there have been any issues with implementation.

Fiscal Year 2023:

Digital Receptionist, \$26,150.63, used in the Commission lobby to provide visitors the ability to sign-in for meetings and events, the printing of visitor badges, greet guests, and connect them to a staff member who can assist them. This procurement follows the departure of our long-time receptionist. This will save the agency money when compared to hiring for this need. This is particularly useful for consumers who walk in and need assistance.

Upgraded AV system, \$85,289.07, used in the hearing room for Commission hearings and meetings which occur monthly and are live streamed as well as archived on our YouTube channel.

Procured new laptops and desktops, \$97,340.28, utilized by the Commission staff to do their work from home and the office thus increasing productivity.

Fiscal Year 2024:

Website hosting platform and content management system, \$25,999.09, will be used to host all our websites, sub-sites, and micro-sites. This will consolidate all our website resources into a centralized platform which will improve our management and website content updates.

Microsoft Windows Azure Business Cloud subscription, \$23,460, will be utilized to house our new CRM (Customer Relationship Management) system and migrate our website and database servers from Azure GovCloud. This will immediately save us money for years to come.

61. How many in-person training programs took place in Fiscal Year 2023 and Fiscal Year 2024, to date?

Four in-person training classes took place in FY2023 and Fiscal Year 2024 to date:

- **Contract Administrator Training.**
- **Integrated Case Management System training (general overview).**
- **Integrated Case Management System training (for the Office of the General Counsel).**
- **Integrated Case Management System training (for the Office of Technical and Regulatory Analysis).**

62. What training deficiencies, if any, did the Commission identify during Fiscal Year 2023 and Fiscal Year 2024, to date?

None.

63. 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 Commission determined that the framework of the Office of External Affairs (OEA) was too broad and as a result, we restructured OEA's responsibilities into a new Office of Strategic Communications (OSC) and a new Principal Legislative Advisor position. The role of the Principal Legislative Advisor is to conduct outreach with various stakeholders, including the Council, to stay abreast of issues affecting the Commission and further the mission of PSC.

The Commission's Office of Strategic Communications (OSC), formerly the Office of External Affairs (OEA), currently consists of a Director, two Public Affairs Specialists, and one Communications Specialist (Contract Position).

OSC is responsible for communications with the DC Council, Mayor's Office, Executive Departments and Agencies, Federal regulatory agencies, Advisory Neighborhood Commissions, civic groups, and non-governmental organizations. OSC provides strategic communications counsel and guidance to Commissioners and staff. OSC also crafts and implements the Commission's strategic communications plan, which includes branding, marketing, advertising, stakeholder engagement, community partnerships, internal communications, and media outreach. OSC is also responsible for content management of the Commission's website and social media platforms and the preparation and distribution of the Commission's Annual and Statistical Reports, Renewable Energy Portfolio Standard Report, and Biennial Report on Fuel Mix.

OSC provides publicly available information on Commission activities, events, programs, and decisions to stakeholders through public notices posted to the Commission’s website and social media platforms, in presentations and discussions at formal conferences and meetings, and at informal meetings. Stakeholders with recommendations for Commission action regarding pending proceedings are encouraged by OSC to file such recommendations in Comments and Reply Comments with the Commission in case dockets and to provide testimony at the Commission’s Public and Community Hearings.

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

In September 2019, the Commission assembled an Advisory Council on Supplier and Workforce Diversity to advance its existing contracting and procurement MOU with the Utilities in furtherance of its commitment to workforce development and diversity. The Advisory Council included representatives from Pepco, DC Water, Monash Advisory Group, and PJM Interconnection. The reps met for a year. In the end, they provided advice and recommendations which included, amongst other changes, improving diversity and inclusion within the energy workforce and utility suppliers in the District.

Currently, the Commission is evaluating the reconvening of the Advisory Council on Utility Supplier and Workforce Diversity.

Legislative and Regulatory Requirements

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

None.

66. 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	Nov 2023
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

67. Please explain the impact of any legislation passed at the federal level during Fiscal Year 2023 and Fiscal Year 2024, to date, that significantly affected the Commission's operations.

None.

68. Please identify any legislation and regulations the Commission plans to introduce during the remainder of Fiscal Year 2024.

To enhance our enforcement authority to impose fines, the Commission is proposing an amendment to D.C. Code § 34-706 to increase the per day penalty amount that can be imposed on a public utility for the failure to perform or for the violation of any Commission order. Currently, the statute sets forth a penalty of \$5,000 per day. However, increasing the penalty amount will encourage public utilities' performance and compliance with our directives. The Maryland Public Service Commission has the authority to impose penalties of up to \$25,000 per day, and we believe the Commission should have similar authority since we regulate the same public utilities (Pepco and Washington Gas). Moreover, the penalty amount in D.C. Code § 34-706 has not been updated since 2005.

Consumer Issues

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

a. Capital Grid Project;

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). The Capital Grid will also play an integral role in Pepco's long-range plans to re-supply downtown substations such as F Street, L Street, and Georgetown Substations which are part of the Downtown Resupply Project (Downtown Resupply Project costs are not included in the CGP costs). Capital Grid provides transmission and resiliency benefits to over 325,000 electric customers in the District, as well as many of Pepco's Maryland customers.

The Capital Grid project includes the following components:

- Rebuilding and Upgrading an existing substation in the District (Harvard Substation) and one existing substation in Maryland (Takoma Substation).**
- Rebuilding and Repurposing an existing substation in the District (Champlain Substation).**

- **Building 10 miles of new 230 kV underground transmission line between the Takoma Substation and the Waterfront Substation to connect the substations and create a networked system.**
- **Constructing one new substation, Mt. Vernon Substation, to accommodate forecasted load growth and to ensure continued reliable service.**

The Commission approved this project in 2019 and required Pepco to file compliance filings and reports to assist with monitoring the construction progress. The entire Capital Grid project construction timeframe is approximately 7 to 8 years. Due to material unavailability, permitting issues, and supply chain disruptions, some of the construction dates have been delayed. The newly rebuilt Harvard substation in Ward 1 was energized in December 2023 and is currently serving the customers. In addition to reviewing all compliance filings related to the Capital Grid Project, the Commission continues to attend monthly DDOT utility construction coordination meetings, and Community Advisory Group (CAG) meetings, monitor all construction activities, periodically inspect construction sites, and monitor the execution of Pepco’s Customer Communication.

b. *PROJECTpipes*;

Initial Plan, Pipes 1 Program, Pipes 2 Program, and Pipes 3 Program

Following a national effort for gas utilities and public utility commissions to address the replacement of aging and high-risk natural gas distribution system infrastructure, Washington Gas Light (“WGL”) filed its Accelerated Pipe Replacement Program (now known as PROJECTpipes) in August 2013 with the intent to modernize its 1,200-mile natural gas distribution system in the District. PROJECTpipes is designed to enhance the safety and reliability of the gas distribution system in the District while helping to reduce natural gas leaks and increase system resiliency.

The first five (5) years of the plan (“PIPES 1”) was approved by the Commission in August 2014, along with a package of annual compliance reporting requirements, for a total amount of \$110 million. The initial 5-year phase of the program (PIPES 1) ended on September 30, 2019, but was subsequently extended for a period of 15 months through December 31, 2020, while the Commission continued to review the Company’s application for a second five-year phase of the initiative, known as PIPES 2 (See below). The Commission authorized total spending not to exceed \$141.25 million, including the 15-month extension period for PIPES 1.

After a thorough review, the Commission approved a modified PIPES 2 plan for a three-year period on December 11, 2020 (Formal Case No. 1154). 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 has estimated that the approved three-year

plan will avoid 6,000 metric tons of CO2 equivalent greenhouse gas emissions (GHG) on a cumulative basis. The approved plan is also expected to avoid 100 potential natural gas leaks in the City.

The associated costs are recovered by WGL through a Commission-approved billing surcharge that appears on the customer bills as a line item. 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.

During 2023, the Commission continued participation in various Consumer Education events and continues to monitor WGL's Consumer Education Plan ("CEP") quarterly.

As directed by the Commission in Order No. 20671, WGL filed their plan for a third PROJECTpipes program (Pipes 3) on December 22, 2022, requesting 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 years beginning in early 2024.

The Commission is currently reviewing the proposed plan and comments from various parties through Formal Case 1175. To supplement the Commission staff's review and analysis efforts, the Commission has hired an experienced and well-respected consulting firm, DHInfrastructure, with both engineering and economic expertise. The Commission is considering the next steps, including establishing a procedural schedule, and will communicate the next steps to all the parties once a determination is made.

On November 6, 2023, WGL filed an extension request to extend Pipes 2 while the Pipes 3 application is under the Commission's consideration. On December 20, 2023, the Commission issued an Order to hold the Pipes 2 program in abeyance and directed WGL to provide additional information to evaluate the extension request fully. The Commission is reviewing the additional information provided by WGL.

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

- c. DC PLUG Program;

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 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.

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

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

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

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

- d. 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:

- **Certification of solar energy systems—including Community Renewable Energy Facilities (CREFs) that help provide bill credits to low-income customers—so that they can participate in the RPS program to create renewable energy credits (RECs). These RECs can be sold to energy suppliers to meet their RPS requirements and they provide a stream of income to the owner of the RECs, which helps to partially offset the cost of installed solar arrays.**
- **Preparation of the annual report to the Council on the compliance of electricity suppliers required to meet the RPS requirements. Suppliers that do not submit sufficient RECs to meet the RPS requirement make a compliance payment that goes into the Renewable Energy Development Fund. This latter fund is currently used to support the District’s Solar for All Program.**

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 allowing net metering customers to eventually install up to 200% of their annual energy use by 2024—previously, a customer was only allowed a threshold of up to 100% of their historical usage. This is limited by any potential reliability issues on the distribution system.

Additionally, in 2021, the Commission approved the socialization 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.

70. Please provide a detailed 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 essential intake to initiate and investigate the complaint. All complaint details are entered and tracked through the Commission Consumer Complaint Management Database (CCMS).

The complaint is investigated by contacting the relevant utility with the details of the complaint. According to Section 323 of Title 15 of the District of Columbia Municipal Regulations, the utility has fourteen (14) business days to investigate the complaint and respond to the Commission. Upon receipt of the response, OCS 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 Specialist determines the utility's response is sufficient, the Consumer Specialist will contact the consumer to review the response and select the following action. Upon receipt of the utility's response and the conclusion of the CS's 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 exercise her option to proceed to an informal hearing mediated by OCS. A resolution may also be achieved at this stage. Finally, suppose the complaint cannot be resolved informally after the initial investigation, utility response, and informal hearing mediation. In that case, the consumer can request a Formal Hearing of her complaint before the Public Service Commission.

- a. How many consumer complaints did the Commission receive during Fiscal Year 2023 and Fiscal Year 2024, to date?

The Commission received 1058 complaints during FY23 and 213 complaints in FY24, to date (January 5, 2024).

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

As we move further away from the pandemic moratorium on service disconnections and the imposition of late fees, financial concerns remain the primary complaint subject matter, with billing and payment issues occupying nearly half of all complaints.

71. How many complaints did the Commission receive about PEPCO in Fiscal Year 2023 and Fiscal Year 2024, to date?

The Commission received 421 complaints about Pepco in FY23 and has received 124 complaints in FY24, to date.

a. What were the major complaints received about PEPCO?

Approximately 75 percent of the complaints received about Pepco in FY23 were related to billing and payment issues.

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

Billing and payment issues were the primary complaints received regarding Pepco.

72. How many complaints did the Commission receive about Washington Gas in Fiscal Year 2023 and Fiscal Year 2024, to date?

The Commission received 237 complaints about Washington Gas (WGL) in FY23 and 53 WGL complaints in FY24, to date.

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

Approximately 65 percent of WGL complaints in FY23 were related to billing and payment issues.

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

Billing and payment issues were the primary complaints received regarding WGL.

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

While WGL previously had performance issues relating to its call center, WGL has since adopted further, more aggressive tactics to resolve these deficiencies. Compliance with the customer service standards resumed in April 2023 and has continued to date.

73. How many complaints did the Commission receive about Verizon in Fiscal Year 2023 and Fiscal Year 2024, to date?

The Commission received 94 complaints about Verizon, DC (Verizon) in FY23 and 17 Verizon complaints in FY24, to date.

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

Approximately 82 percent of Verizon complaints were related to quality-of-service issues.

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

The Commission observes that the relatively few Verizon complaints it receives are associated with migrating from copper-based telephony to fiber-based infrastructure. Copper technology is outdated, less robust, and less efficient. Verizon is no longer required to support copper and may require consumers to migrate to fiber. Some consumers associate copper technology with increased reliability during emergencies and wish to retain copper in their telephone service. Unfortunately, their desires cannot be accommodated.

74. 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 Service handled approximately 1,774 complaints and inquiries in FY23. These complaints and inquiries include the default utility companies Pepco, WGL, Verizon, and competitive utility suppliers. Of 1,058 total complaints, only four complaints were not resolved at the informal complaint proceeding stage, a success rate of 99.6 percent.

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

In FY23, 236 of 237 Washington Gas complaints were resolved through the informal mediation process, a success rate of 99.6 percent. In FY23, all 94 Verizon complaints were resolved informally, a success rate of 100.00 percent. In FY23, 417 of 421 Pepco complaints were resolved informally, a success rate of 99.0 percent.

76. Please provide an explanation of the credit card payment options provided to Washington Gas consumers, either directly or through vendor, over the past 5 years.

Washington Gas (“WGL”) customers can log into their “MyAccount” customer portal and make a one-time credit or debit card payment at no charge. This feature is available seven (7) days a week, twenty-four (24) hours a day. Customers can also make credit and debit card payments via the Washington Gas app (“My Wahington Gas”). If they have their “MyAccount” online account established, they can use the same sign-in information with the mobile app. If they have a credit or debit card saved on file, it would be available in the mobile app account. For customers calling in to make payments, the WGL Interactive Voice Response system (“IVR”) sends customers to the KUBRA EZ-Pay system to process credit card payments only. KUBRA is a third-party payments vendor.

- a. Please include in the explanation any changes to the policy governing credit card payments and automatic scheduled payments.

WGL modified its terms to include using the mobile app for payments. Customers can enroll in an Automatic Payment Plan (“APPL”) or use credit and debit cards for payment in its mobile app.

Under “Customer Requirements” in WGL’s Online Payment terms, customers using the mobile app confirm upon clicking “Submit” their acceptance of the MyAccount Terms (and any future modifications thereof) and agree that by scheduling a payment via Online Payment they authorize their financial institution and Washington Gas to initiate debit(s), credit(s), or correction entries for such payments. Customers wishing to revoke the authorization must cancel their payment at least (2) business days in advance of the scheduled payment by going online or calling customer support at 844-WASHGAS (844-927-4427).

- b. If credit card payment options for Washington Gas consumers were removed, restricted, or limited in any way, please provide an explanation for why those changes were made.

Since implementing their new “MyAccount” customer portal, WGL is no longer a biller in the KUBRA EZ-Pay web portal; therefore, WGL bills can no longer be paid using the KUBRA EZ-Pay portal. Any prior autopay arrangements entered via the KUBRA EZ-Pay portal will no longer be functional.

Per WGL’s “Termination” terms, WGL reserves the right to suspend or discontinue accepting online payments (including debit or credit card payments) at any time, for any reason, without prior notice. WGL will attempt to provide notice of suspension or termination of Online Payment but will not be liable for any failure to do so.

WGL terms also provide they reserve the right to discontinue accepting APPL payments at any time, for any reason, and without prior notice. WGL terms also provide that WGL may send notification of termination of APPL any time after the termination is effective.

Additional Questions

77. Describe steps taken in Fiscal Year 2023 and Fiscal Year 2024, to date, to reduce the following:

- a. Energy use;

In FY23, the agency actively promoted the utilization of public transportation among staff members. A public transportation subsidy (Smartbenefits) is extended to all PSC employees as part of our commitment to employee well-being and reduction of our carbon footprint.

As part of our PSC technology replacement plan, in FY24, we acquired new technologies, including compact and energy-efficient copy machines, printers, and desktop and laptop computers. This strategic replacement is instrumental in substantially lowering our overall energy consumption. Our commitment extends to exploring innovative methods to decrease energy usage in the upcoming years.

- b. Communication costs;

In FY23, the Commission continued operating under the District's telework program. As such, we relied on MS Teams, Cisco WebEx, and other collaboration platforms. Thus, no substantial communications cost reduction opportunities were available to be made.

In FY24, the Commission is planning on moving to MS Teams Calling as its telecommunications platform. This will save the agency money now and in the future. No longer will we need to procure expensive telephony hardware or pay for VOIP lines.

- c. Space utilization.

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

In FY24, we are working to determine our space needs before we begin to explore lease extension discussions. All of this is taking place as we grow our

agency to our biggest size to date. Also, we have renewed our efforts to digitize even more of our records to maximize our office space usage.

78. 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.

The Commission has taken various measures to enhance transparency in its activities and communication with the public. These include:

- 1. Regularly disseminating press releases, advisories, and public notices to the Mayor, DC Council members, District agencies, stakeholders, and the general public.**
- 2. Monthly distribution of a Commission newsletter providing updates on proceedings and consumer initiatives.**
- 3. Hosting meetings with ANC Commissioners and Constituent Services to address community concerns and gather feedback.**
- 4. Participation in monthly DMOI communications meetings to share updates and coordinate effective communication with DC residents regarding consumer services and resources.**
- 5. Management of public awareness campaigns, such as Winter Ready DC, DC Power Connect, Fight Utility Scams, Summer Ready DC, Clean Energy Summit, and stakeholder initiatives such as the Cybersecurity Conference and Supplier Diversity Hearing, to inform District residents about our work and consumer resources and services.**
- 6. Offering presentations and updates on the Commission's work and consumer services to community groups.**
- 7. Active sharing of updates, reminders, and public notices on social media and the DCPSC website.**
- 8. Host in-person and live-streaming public events with archives on YouTube and shared on social media.**
- 9. Continuous efforts to keep all parts of the website up-to-date, including updating and rewriting language to be more consumer-friendly.**
- 10. Redesigning and translating reports, brochures, etc., to be more engaging, informative and accessible.**
- 11. Participation in the DC SEU Advisory Board and other organizational meetings and conferences to provide presentations and updates on the Commission's work and consumer services.**
- 12. Conducting briefings for new Councilmembers and staff to familiarize them with the Commission's mission, organization, programs, and priority issues.**
- 13. Direct engagement with individual residents/consumers via the Commission website and social media to encourage public comment in public hearings and to address complaints or utility-related issues by directing them to available resources (e.g., utility complaint form, Office of Consumer Services phone number).**

To enhance transparency in the Commission's activities and better communicate with the public, the Commission has implemented or has begun implementing the following strategies:

1. **Greater Language Access:**
 - **Implementing Google Translate to the website and providing translated brochures in the six targeted languages to ensure access to consumer information**
2. **User-Friendly Website Design:**
 - **Optimize the Commission's website for user-friendliness. Ensure that information is organized logically and the language is clear and easily understandable. Implement regular updates and conduct user testing for feedback.**
3. **Regular Website Audits:**
 - **Conduct regular audits of the website's content to ensure accuracy and relevance. Update language to be more consumer-friendly and provide clear pathways for visitors to access information.**
4. **Creative Design for Reports and Brochures:**
 - **Redesign reports, brochures, and other informational materials with creative and engaging design elements. Use visuals, infographics, and concise language to convey key messages effectively.**
5. **Onboarding Resources for Councilmembers:**
 - **Develop comprehensive onboarding resources, including documents and presentations, for new Councilmembers and staff. Provide an overview of the Commission's mission, organizational structure, programs, and priority issues.**

Implementing these strategies will contribute to a more transparent and engaging communication approach, fostering a stronger connection between the Commission and the public.

79. How does the Commission solicit feedback from customers?

The Commission's Consumer Outreach Unit conducts approximately 50 outreach events annually, visiting the community to provide consumer education and information regarding utility discount programs, energy efficiency, and the Commission's consumer complaint mediation and resolution programs conducted by the Office of Consumer Service (OCS). During these events, OCS personnel and Commission volunteers solicit face-to-face consumer feedback, gaining valuable insight that might not be otherwise obtained.

The Commission also solicits feedback from stakeholder groups by receiving testimony at community hearings, technical conferences, and workshops; substantive Working Groups; publication of our agency newsletter; and public engagement with the consumers on social media platforms such as Twitter, Facebook, Instagram, YouTube, and LinkedIn.

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

The Office of Consumer Services regularly relays consumer feedback obtained at outreach events to Commission Staff, providing appropriate staff with consumer insights and referrals that can assist them in their service delivery to consumers.

The Commission makes decisions based on a thorough examination of the record, and to ensure a comprehensive representation of diverse perspectives, the Commission has actively worked to encourage a wide range of stakeholders to submit comments during proceedings. Recognizing the importance of reflecting the diverse thoughts and demographics of the District, the Commission strives to create an inclusive record that encompasses various viewpoints. By fostering engagement from a broad spectrum of stakeholders, the DCPSC aims to make informed decisions that account for the diverse needs and concerns of the community, contributing to a more equitable and representative decision-making process in the District.

81. 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.

82. Please provide an update on the Renewable Energy Portfolio Standards program.

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:

- **Certification of renewable energy systems—including Community Renewable Energy Facilities (CREFs) that help provide bill credits to low-income customers—so that they can participate in the RPS program to create renewable energy credits (RECs). These RECs can be sold to energy suppliers to meet their RPS requirements and they provide a stream of income to the owner of the RECs, which helps to partially offset the cost of installed solar arrays (for example).**
- **Preparation of the annual report to the Council on the compliance of**

electricity suppliers required to meet the RPS requirements. Suppliers that do not submit sufficient RECs to meet the RPS requirement make a compliance payment that goes into the Renewable Energy Development Fund. This latter fund—which only received about \$72,000 in the 2022 compliance year—is currently used to support the District’s Solar for All Program.

- The Commission notes that the District concluded CY 2023 with over 13,500 solar projects certified within the District, as well as nearly 3,700 eligible solar projects registered for RPS outside of the District.
- As of year-end 2023 367 District Community Renewable Energy Facilities (CREFs)s were certified—an increase from 301 at year-end 2022.
- During CY 2023, Commission staff certified 1,718 new RPS solar facilities within the District, which included 66 new CREFs.
- RPS-certified projects now equate to roughly 214 MW of capacity in the District, as well as 54 MW outside of the District—for a total of 268 MW.
- The total RPS-certified solar capacity of 268 MW exceeds the District’s 2023 RPS solar carve-out estimated target of 218 MW, or 3.0% of the total estimated 2023 District retail electricity sales.
- This is the third consecutive year that the District has met or exceeded its annual RPS solar carve-out estimated goal. However, this does not necessarily mean that suppliers meet their RPS requirement without the use of alternative compliance payments.

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 allowing net metering customers to eventually install up to 200% of their annual energy use by 2024—previously, a customer was only allowed a threshold of up to 100% of their historical usage. This is limited by any potential reliability issues on the distribution system.

In November 2023, the Commission announced the award of a \$2.5 million contract to Preservation for Affordable Housing (POAH) for a community geothermal pilot project at Barry Farm Redevelopment in Ward 8. This pilot project is part of the Commission’s Formal Case No. 1130, the energy delivery system modernization initiative (MEDSIS) now known as PowerPathDC.

This pilot project marks the first initiative in the District to include a comprehensive community heat pump system. The project will replace

conventional fossil fuel-based space conditioning systems and enhance and modernize the District's energy distribution infrastructure. The geothermal heat pump pilot project at the Barry Farm Redevelopment seeks to modernize heating and cooling systems by harnessing the Earth's consistent underground temperature.

This innovative approach not only promises to reduce energy consumption significantly but also contributes to the development of environmentally responsible, cost-effective, and comfortable living conditions. The use of a geothermal resource is eligible as a Tier I resource in the District's RPS Program.

83. Please provide an update on progress streamlining the solar interconnection process.

Revising the interconnection rules to help facilitate small generator systems' interconnection to the electric grid is a top priority for the Commission. The Commission classifies interconnection facilities into four levels. Recently, the Commission revised our interconnection process to facilitate faster interconnections of Level 1 systems, also known as net energy metering facilities, found on a residential single-family home. Level 2 systems, given their size, commonly require system upgrades when implemented. Therefore, the Commission deployed a cost-sharing mechanism to expedite interconnection of Level 2, community renewable energy facilities to the system, generally found on multi-family buildings.

Additionally, we directed Pepco to update their hosting capacity maps monthly to increase developers' visibility on areas of interest for deploying small generator facilities. We also required Pepco to maintain a publicly available interconnection queue, updated monthly, which gives developers who have submitted applications a better idea of the rate at which their application (s) is being processed and where they are in the interconnection queue. Lastly, the Commission also harmonized the rules governing how credits related to excess generation should be accounted for said facilities mentioned herein.

84. 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 improve 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.

85. 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. Civil and Electrical work was completed in Q1 2023 and is currently in service feeding customers.**
- **Feeder 368 (Ward 7) – Construction is complete. The feeder was placed in service in late December 2023 and is currently serving customers.**
- **Feeder 14007 (Ward 5) – 100% civil design is complete. Construction of feeder 14007 is expected to begin in Q1 of 2024.**
- **Feeder 15009 (Ward 5) – Civil construction began in Q1 of 2023. Construction of feeder 15009 is expected to be completed in CY 2024.**
- **Feeder 14758 (Ward 8) – Civil construction began in Q3 of 2023. Construction of feeder 14758 is expected to be completed in Q3 of 2024.**

Status of Second Biennial Plan Feeders (Plug 2):

- **Feeders 14008 (Ward 5) –Construction of feeder 14008 began in Q2 of 2023 and is expected to be completed in CY 2024.**
- **Feeders 15166 (Ward 8) – Civil design is 100% complete. A notice to proceed for civil construction is expected in Q1 2024. The construction of feeder 15166 is expected to be completed in Q3 2025.**
- **Feeder 15001 (Ward 4) – Civil design is 100% complete and construction is scheduled to begin in Q1 2024 with an expected completion in CY 2026.**
- **Feeders 118 (Ward 7) and 14702 (Ward 7) – Civil design is 100% complete and construction is scheduled to begin in Q2 2024 with expected completion in CY 2026.**
- **Feeder 15021 (Ward 4) – Civil design is 100% complete and construction is scheduled to begin in Q4 2024 with expected completion in CY 2027.**
- **Feeders 14767 (Ward 3), 467 (Ward 3), 15171 (Ward 8), and 14093 (Ward 5) – These are in various stages of civil design. Civil construction work will follow once the design is complete.**

Status of Third Biennial Plan Feeders (Plug 3):

- **Feeder 347 (Ward 7) – Civil design is 100% complete and construction is scheduled to begin in Q2 2025 with expected completion in CY 2026.**
- **Feeders 75 (Ward 3), 14009 (Ward 5), and 15174 (Ward 8) - These are in different stages of civil design. Civil construction work will follow once the design is complete.**

86. 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.
- **Feeder 15171:** DDOT awarded a contract for civil design services to Precision Systems Inc. for \$2 million.
- **Feeder 14008:** DDOT awarded a contract for civil design services to Precision Systems Inc. for \$2.3 million.
- **Feeder 15009:** DDOT awarded a contract for civil design services to Precision Systems Inc. for \$3 million.
- **Feeder 347:** DDOT awarded a contract for civil design services to Precision Systems Inc. for \$1.6 million.
- **Feeder 15166:** DDOT awarded a contract for civil design services to HB-AB-EXP (CBE) for \$2 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).

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

- **Feeder 14900:** Pepco awarded a contract for electrical construction services to KCW (42% CBE). This is in line with federal requirements.

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.

87. 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, 118, and 15166: DDOT awarded a contract for civil design services to HB-AB-EXP (CBE) for \$4 million.**
- **Feeder 14767: DDOT awarded a contract for civil design services to AMT (CBE) for \$3 million.**
- **Feeders 368, 15171, 14008, 15009, and 347: DDOT awarded a contract for civil design services to Precision Systems, Inc. (95 % CBE) for \$10 million.**

88. 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. Subsequently, PSC informed the Committee that "[o]n April 21, 2023, Pepco filed a letter informing the Commission that on February 21, 2023, it received a letter from the counterparty to the PPA invoking its contractual right to terminate the contract because it failed to contract for the sale of ninety percent of the project. Also in that letter, Pepco proposed issuing a new RFP with more flexible terms (*e.g.*, more than five (5%) of the SOS load and/or longer contract duration and allow for bidding by existing renewable projects) to attract more bidders." After receiving stakeholder comments, the Commission issued Order No. 21918 on October 26, 2023, instructing Pepco "to file a revised RFP and a draft PPA within 30 days." Has the revised RFP and draft PPA been filed? Please provide an update on the 5% long-term PPA for new renewable energy facilities.

Since Pepco's letter was filed in April 2023, the Commission solicited input from interested persons on Pepco's proposal. On October 26, 2023, by Order No. 21918, the Commission directed Pepco to file a draft RFP and PPA with more flexible terms that will attract bidders to supply the renewable energy to serve 5% of the SOS load.

Pepco requested and the Commission granted a short extension. On January 16, 2024, Pepco filed the RFP and PPA. The Commission posted a notice on January 17, 2024, soliciting comments in 7 business days. It is our goal to make a decision soon on Pepco’s draft RFP and PPA.

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

The Commission approved Order No. 19898 in 2019 approving the development of Residential Whole House Time-Of-Use Rate for electric vehicles in Offering 1; directing Pepco to provide “make-ready” infrastructure for Offerings 7 and 8 (public electric vehicle (“EV”) charging) and Offerings 10 and 11 (public transportation charging) to facilitate the deployment of public electric vehicle charging stations (“EVCS”). Per Order No. 21901 (issued September 14, 2023), the Commission approved Pepco’s proposal to reallocate \$262,500 of the \$1,650,000 DCFCs (Offering 8) budget to the Public Neighborhood Smart Level II EVSE (Offering 7) budget.

The Company maintained that this would provide roughly 35 additional Level II chargers and not impact the funding of 20 DCFCs. According to Pepco’s Semi-Annual Report on the Implemental of the Transportation Electrification Program for the first and second quarter of 2023 filed August 1, 2023:

- **Offering 1: There are ninety-three (93) residential customers enrolled in the R-PIV rate;**
- **Offering 7: Pepco has completed construction on make-ready infrastructure enabling the successful installation of 27 Level II EV charging stations, with 123,891 kWh of electricity charged since inception;**
- **Offering 8: Three applications comprising 11 DCFCs stations are under agreement and in the construction stage. One application is pending review. One customer has expressed interest;**
- **Offering 11: Pepco is collaborating with WMATA and DDOT but has not secured a participation agreement from either customer or indicated a specified site.**
- **Offering 10: Pepco requested a modification of Offering 10 to increase the number of make-ready infrastructure to support 12 DCFCs for taxicabs and rideshare vehicles, which the Commission granted. Pepco filed another motion seeking to modify and/or clarify our decision, and we are deliberating on this matter before rendering our decision.**

Pepco’s report also notes that it is analyzing EV driver charging behavior to prepare for increased demand in the District.

Pepco has previously asked the Commission for permission to establish a rebate incentive program, which the Commission denied. Specifically, in Order No. 21162 of Commission dockets *Formal Case Nos. 1130 and 1155*, issued on June 3, 2022, the PSC denied Pepco’s request to provide up to 500 residential customers a \$500.00

rebate for the price and installation of a Smart Level II Charger at the residential customer's premises. The Commission noted that the rebate costs should not be subsidized across all ratepayers and that "[t]he principle of cost causation, which states that costs should be borne by those who cause them to be incurred, is fundamentally important when attributing costs to customers."

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

On May 5, 2023, the Commission gave public notice, pursuant to D.C. Code §§ 34-901 and 34-909, that on April 13, 2023, the Potomac Electric Power Company ("Pepco") filed an Application with the Commission requesting authority to increase existing distribution rates by \$190.7 million through the implementation of a Multiyear Rate Plan ("MYP") for the years 2024 through 2026.

Under Pepco's proposed MYP, Pepco requested authority to earn a 10.50% return on common equity. If approved, the MYP would increase monthly distribution rates by approximately \$6.18 in 2024, \$6.13 in 2025, and \$6.09 in 2026 for a residential Standard Offer Service customer using 614 kWh per month.

According to the revised procedural schedule adopted in Order No. 21937 in December, the parties filed testimony on January 12, 2024. Rebuttal Testimony is due in February, and Surrebuttal Testimony is due in March. Evidentiary hearings, if necessary, are scheduled in April. The Commission is in the process of scheduling three community hearings.

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 resources throughout the District and proactively ensuring utility compliance with the District's climate and clean energy goals. To that end, here are some examples of recent Commission actions regarding these objectives:

- **The Commission notes that the District concluded CY 2023 with over 13,500 solar projects certified within the District, as well as nearly 3,700 eligible solar projects registered for RPS outside of the District.**
- **As of year-end 2023 367 District Community Renewable Energy Facilities (CREFs)s were certified—an increase from 301 at year-end 2022.**
- **During CY 2023, Commission staff certified 1,718 new RPS solar facilities within the District, which included 66 new CREFs.**
- **RPS-certified projects now equate to roughly 214 MW of capacity in the District, as well as 54 MW outside of the District—for a total of 268 MW.**
- **The total RPS-certified solar capacity of 268 MW exceeds the District's 2023 RPS solar carve-out estimated target of 218 MW, or 3.0% of the total estimated 2023 District retail electricity sales.**
- **This is the third consecutive year that the District has met or exceeded its**

annual RPS solar carve-out estimated goal. However, this does not necessarily mean that suppliers meet their RPS requirement without the use of alternative compliance payments.

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 approved allowing net metering customers to eventually install up to 200% of their generation threshold by 2024—previously, a customer was only allowed a threshold of up to 100% of their historical usage—subject to any potential reliability issues on the distribution system.**
- **In 2021, the Commission approved the socialization of distribution system upgrade costs of up to \$500,000 per year for the installation of CREFs—covering 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 has established a pilot projects program in its Grid Modernization case 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).**
- **In January 2023, the Commission hosted the Clean Energy Summit to create a space 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 accountability in several of our proceedings.**
- **The Commission approved a stakeholder-informed distribution planning process, along with periodic Pepco-issued non-wires alternative (NWA) RFPs, to establish innovative distributed energy resource (DER) projects in the District.**
- **The Commission tracks and monitors total distributed energy resource deployment in the City and notes that over 380 MW of DER capacity has been deployed thus far.**
- **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 purview are meeting and advancing the District of Columbia’s clean energy and climate goals and then take action, where necessary, to guide the companies in the right direction. See the detailed discussion in response to the next question.**

92. What is the PSC doing to phase out natural gas to achieve the District’s climate goal of net zero emissions by 2045?

The Commission recognizes the limit of its statutory authority, in that we cannot Order Washington Gas Light Company to end the sale of natural gas that WGL is authorized to provide under its Congressional Charter. (*Formal Case No. 1167, Order No. 21593, ¶1*). The Commission will, however, use its existing authority to reduce greenhouse gas (“GHG”) emissions from the Company’s operations. (*Formal Case No. 1167, Order No. 21593, ¶9*).

Committee Recommendations

The Committee made the following policy and operating budget recommendations to the agency in its Fiscal Year 2024 Budget Report. Please provide an update on how the agency has addressed the Committee’s recommendations.

1. The Committee recommends that PSC review its Key Performance Indicators for alignment with the evolving climate priorities and programs in its portfolio.

For FY2024, we have submitted revised KPIs, which will be posted shortly.

2. The Committee recommends that PSC accelerate resolution of open cases that relate to the framework within which the District, its utilities, and interested stakeholders will meet the clean energy goals.

PSC is working on improving its workflow filing process, which will include strict deadlines for all draft orders to be completed ahead of a session. Additionally, PSC recently completed an upgrade to its Integrated Case Management System (ICMS). This streamlined system will allow users to know where draft orders are in the review process. By enhancing processes through ICMS, this will lead to established standards and timelines for certain cases depending on their size and complexity. This, in turn, will accelerate the resolution of open cases relating to clean energy goals.

3. The Committee recommends that PSC align the compensation of its Chairperson and commissioners as set forth in the proposed Subtitle, “Public Service Commission Members’ Compensation Act of 2023.”

The compensation of the PSC Chairperson and Commissioners has been appropriately aligned as set forth in the “Public Service Commission Members’ Compensation Act of 2023.”

4. The Committee recommends that PSC work collaboratively with the Office of People’s Counsel to ensure that grid modernization efforts and infrastructure investments are equitably distributed across the District.

PSC works collaboratively with the Office of the People’s Counsel (OPC) on various outreach projects that relate to equity, including Utility Discount Programs such as RAD and RES. Additionally, PSC’s Legislative Advisor recently worked with legislative counterparts at OPC regarding an EV incentive program contained in Bill 25-0106, the “Comprehensive Electric Vehicle Infrastructure Access, Readiness, and Sustainability Amendment Act of 2023.” OPC is aware that such a program could have equity implications for District ratepayers without EVs, particularly in vulnerable communities.