

PUBLIC SERVICE COMMISSION OF THE DISTRICT OF COLUMBIA
1333 H STREET, N.W., SUITE 200, WEST TOWER
WASHINGTON, D.C. 20005

ORDER

April 10, 2008

**FORMAL CASE NO. 1058, IN THE MATTER OF THE INVESTIGATION OF
THE WRITTEN INCIDENT REPORTING REQUIREMENTS OF PUBLIC
UTILITIES IN THE DISTRICT OF COLUMBIA, Order No. 14783**

I. INTRODUCTION

1. By this Order, the Public Service Commission of the District of Columbia (“Commission”) accepts for the record the Potomac Electric Power Company’s (“Pepco” or “Company”) response to Order No. 14567, wherein the Company updated its investigation of the cause of a May 10, 2007 incident.¹ Additionally, the Commission gives notice to interested parties that the investigation will be closed within ten (10) days of the date of this Order, unless there is a timely objection, without further Order of the Commission.

II. BACKGROUND

2. On May 10, 2007, an underground manhole explosion occurred at New Jersey Avenue and K Street, N.W., where a Pepco contract worker was burned on his hands, arms and face. Following the incident, Pepco gave notice of the incident to Commission Staff and OPC, noting that the explosion was the result of an underground primary joint failure/feeder trip, but giving no definitive explanation for the cause of the incident.²

3. In response to a petition filed by the Office of the People’s Counsel (“OPC”),³ the Commission issued Order No. 14553, granting OPC’s Petition, in part, and directing Pepco to file an update on its investigation of the cause(s) of the May 10, 2007 incident.⁴ Pepco took exception to the Commission’s directive, arguing that the

¹ *Formal Case No. 1058, In the Matter of the Investigation of the Written Incident Reporting Requirements of Public Utilities in the District of Columbia (“F.C. 1058”), Response of Potomac Electric Power Company (“Response”), filed September 14, 2007.*

² *See F.C. 1058, Erratum Filing of the Potomac Electric Power Company (“Pepco Erratum”), filed August 29, 2007, at Attachment 1, undated “Report of Non-Major Customer Service Outage on May 10, 2007.”*

³ *See F.C. 1058, Petition of the Office of the People’s Counsel for an Investigation into the Written Incident Reporting Requirements of Public Utilities in the District of Columbia (“Petition”), filed May 18, 2007.*

⁴ *F.C. 1058, Order No. 14553, rel. August 22, 2007.*

Company already fully complied with the statutory requirement for a written incident report when it submitted a June 4, 2007 report, on the May 10, 2007 incident, to Commission Staff and OPC.⁵

4. By Order No. 14567, the Commission advised Pepco that the Company's June 4, 2007 report was insufficient to satisfy the statutory requirement.⁶ Consequently, the Commission directed Pepco to file a further update on the Company's investigation of the cause(s) of the May 10, 2007 incident, as well as any steps to prevent reoccurrence.⁷ On September 14, 2007, Pepco filed a further update and requested that the investigation be closed.⁸

III. DISCUSSION

5. D.C. Code § 34-401(a) provides pertinently that:

Every public utility shall, whenever an incident occurs within the District of Columbia that results in the loss of human life, personal injury requiring hospitalization, or service disruption directly or indirectly arising from or connected with its maintenance or operation, give immediate notice thereof to the Public Service Commission and the Office of the People's Counsel of the District of Columbia. In the event of any such incident, the public utility shall also submit a written report to the Commission that explains the *cause* of the incident, what steps if any the public utility will undertake to prevent such an occurrence in the future, and such other information which the Public Service Commission shall, by order or regulation, require. (Emphasis added)

6. In the September 14, 2007 submission, Pepco explains the cause of the May 10, 2007 incident. Specifically, Pepco reports that the May 10, 2007 incident was caused by "a primary joint failure due to deteriorated insulation."⁹ Pepco also outlines in its Response the steps the Company will take to prevent reoccurrence of the type of incident, including stressing the importance of safety procedures.¹⁰ We find Pepco's

⁵ F.C. 1058, Pepco Erratum at 2-3.

⁶ F.C. 1058, Order No. 14567, rel. September 12, 2007.

⁷ *Id.*

⁸ F.C. 1058, Response at 3.

⁹ *Id.* at Attachment 1, "Update to submittal made June 4, 2007."

¹⁰ *Id.*

update on the cause of the May 10, 2007 incident to be sufficient to satisfy the statutory requirement. Accordingly, we accept Pepco's Response for the record. Additionally, absent reasonable objection, we give notice to interested parties that the investigation will be closed within ten (10) days of the date of this Order, without further Order of the Commission.

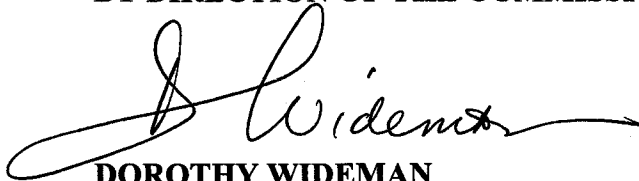
THEREFORE, IT IS ORDERED THAT:

7. The Response of Potomac Electric Power Company, filed September 14, 2007, is accepted for the record; and

8. The Commission gives notice to interested parties that the investigation will be closed within ten (10) days of the date of this Order, without further Order of the Commission.

A TRUE COPY:

BY DIRECTION OF THE COMMISSION:

A handwritten signature in black ink, appearing to read "D. Wideman", with a long horizontal flourish extending to the right.

CHIEF CLERK:

**DOROTHY WIDEMAN
COMMISSION SECRETARY**