

**PUBLIC SERVICE COMMISSION OF THE DISTRICT OF COLUMBIA
1325 G STREET N.W., SUITE 800
WASHINGTON, D.C. 20005**

NOTICE

June 2, 2017

**MEETING TO DEVELOP AN EXPEDITED DISCOVERY SCHEDULE FOR
APPROVAL OF BIENNIAL UNDERGROUND PLANS**

1. On May 17, 2017, the Mayor of the District of Columbia signed into law the Electric Company Infrastructure Improvement Financing Emergency Amendment Act of 2017 (D.C. Act 22-56) (“ECIIFEAA”), which amends the Electric Company Infrastructure Improvement Financing Act of 2014 (“ECIIFA”) and authorizes the collection and use by the District of Columbia and the electric company (“Potomac Electric Power Company” or “Pepco”) of certain charges to finance the undergrounding of certain electric power lines and ancillary facilities. This amendment governs the Potomac Electric Power Company (“Pepco”) and the District of Columbia Department of Transportation’s (“DDOT”) public-private partnership to bury overhead primary power lines to improve electric service reliability and reduce the impact of storm-related outages in the District of Columbia.

2. The new legislation changes a portion of the funding structure for the District of Columbia Power Line Undergrounding project (“DC PLUG”) from bonds issued by the District and securitized by ratepayers, to a pay-as-you-go structure with the cost imposed on Pepco and recovered by Pepco through a tariff rider.

3. Section 307(a) of the ECIIFEAA requires Pepco and DDOT to jointly file every two (2) years an application for the District of Columbia Public Service Commission’s (“Commission”) approval of a biennial Underground Infrastructure Improvement Projects Plan (“biennial Undergrounding Plan”) consisting of DDOT’s Underground Electric Company Infrastructure Improvement Activity and Pepco’s Infrastructure Activity planned to be undertaken in a two-year period. The ECIIFEAA also authorizes an annually adjusted surcharge to recover costs associated with the Electric Company Infrastructure Improvement Costs (“Underground Project Charge”) approved by the Commission. Section 309(d) of the ECIIFEAA requires the Commission to expedite its consideration of an application to approve a biennial Underground Infrastructure Improvement Projects Plan.

4. Subsection 309(b)(1) of the ECIIFEAA requires the Public Service Commission of the District of Columbia (“Commission”) to issue an order, within 30 days of the effective date of the ECIIFA, to establish an expedited discovery schedule to be used in all proceedings to consider biennial Undergrounding Plans. The ECIIFEAA provides the following guidance regarding discovery to be held in proceedings to consider biennial Undergrounding Plans:

- a. The period of discovery shall commence on the date that the application is filed with the Commission and shall continue for 60 days thereafter;
- b. The discovery process should allow for reasonable periods for responses to information requests on shortened timelines and address the use of all reasonable procedures for expediting the discovery process, including discovery conferences;
- c. The discovery process should also permit parties to inspect all the relevant data, documents, studies, analyses, and work papers that form the basis of the biennial Underground Infrastructure Improvement Projects Plan and any revenue requirements or charges provided therein; and
- d. The discovery schedule shall afford the parties the rights provided under Chapter 1 of Title 15 of the District of Columbia Municipal Regulations, while maintaining the statutory 60-day discovery period described in the ECIIFAA.

5. In light of the above, the Commission will be opening *Formal Case No. 1145* to consider applications for approval of power line underground projects plans (the “biennial Undergrounding Plans”). The Commission hereby gives notice that Commission Staff will convene a meeting to allow the statutory parties of right under ECIIFEEAA, *i.e.*, Pepco, DDOT, OPC, and the District Government, and other parties from *Formal Case No. 1116* to discuss and recommend an expedited discovery schedule to be used in the first Commission proceeding where biennial Undergrounding Plans are being considered. Commission Staff recommends an expedited discovery schedule similar to the schedule established in *Formal Case No. 1116*, but updated with 2017 dates.

6. The discovery schedule meeting will be held on June 7, 2017, at **11:30 a.m.** in the Commission’s Hearing Room, 1325 G Street, NW, Suite 800, Washington, D.C. 20005. The parties of right (Pepco, the Office of the People’s Counsel, the Government of the District of Columbia, and DDOT), as well as the other parties from the *Formal Case No. 1116* case are invited to attend.