

PUBLIC SERVICE COMMISSION OF THE DISTRICT OF COLUMBIA

NOTICE OF SECOND PROPOSED RULEMAKING**RM49-2026-01, PUBLIC UTILITY TARIFF FILING REQUIREMENTS AND REGULATIONS,**

1. The Public Service Commission of the District of Columbia (Commission), pursuant to its authority under D.C. Official Code Sections 2-505 (2016 Repl.) and 34-802 (2019 Repl.) gives notice of a second proposed rulemaking to adopt amendments to Section 4901 (Tariff Applications) of Chapter 49 (Public Utility Tariff Filing Regulations) of Title 15 (Public Utilities and Cable Television) of the District of Columbia Municipal Regulations (DCMR). This second proposed rulemaking is intended to further clarify the proposed rule changes. All persons interested in commenting on this Notice of Second Proposed Rulemaking (NOPR or Notice) shall submit written comments no later than thirty (30) days after publication of this Second Notice in the *District of Columbia Register*.

2. The initial changes to Chapter 49 included language specifying when a proposed tariff or tariff amendment may take effect as provided in new Subsection 4901.2(b)(1) and (2). In addition, the proposed revised Subsection 4901.2(f) was meant to provide increased specificity on work papers utilities must submit with their tariff filings. On April 3, 2026, the Commission published a NOPR in the *District of Columbia Register* proposing these amendments.¹

3. The Potomac Electric Power Company (Pepco or Company) filed comments in response to the NOPR.² Pepco proposes additional language to “Applicability” in Section 4900.1 and to the previously proposed amendments to provide for an explicit exception to tariff filings that are required by law, citing as examples the Sustainable Energy Trust Fund and the Mayor’s Energy Surcharge Fund (both of which go into effect by law on October 1 each year), and laws that require rates to go into effect on the date the rate is filed, such as the District of Columbia’s Power Line Undergrounding Initiative (DC PLUG) Underground Rider and Underground Project Charge.³ Pepco also requests clarification as to the process for providing supporting documentation that includes electronic links in the tariff filing and clarity on whether the processes used by the Company meet the requirements proposed in Chapter 49 given data limitations and cost, and for the period of time these links need to be accessible.⁴

4. The Commission includes Pepco’s proposals for consideration in this notice and solicits comments on the adoption of further modifications as outlined below. Accordingly, the

¹ 73 DC Reg. 005782 - 005783 (April 3, 2026).

² RM49-2026-01, *In the Matter of Public Utility Tariff Filing Regulations*, Potomac Electric Power Company’s Comments (RM49-2026-01), filed May 4, 2026 (Pepco’s Comments).

³ Pepco’s Comments at 1-2.

⁴ Pepco’s Comments at 2.

newly proposed revisions to Sections 4900.1 and 4901.2 are shown by **bold underline** and the deletions by ~~striketrough~~.

Chapter 49, PUBLIC UTILITY TARIFF FILING REGULATIONS, is amended as follows:

Section 4900, APPLICABILITY, is amended as follows:

4900.1 Application. ~~Except as provided by law, This~~ **this** chapter provides rules governing public utility tariff applications and filings in the District of Columbia. This chapter shall not apply to the tariff filings of non-utility energy suppliers and competitive local exchange carriers.

...

Section 4901, TARIFF APPLICATIONS, is amended as follows:

...

4901.2 A public utility submitting an application for approval of a new tariff or tariff amendment, except that which is a compliance tariff, must also submit a proposed draft notice of proposed tariff and a proposed draft notice of final tariff for the proposed tariff or tariff amendment. The notice shall include the following details:

...

(b) The effective date of the proposed tariff or tariff amendment;

(1) **Except as provided by law, the effective date of the proposed tariff or tariff amendment shall not be fewer than thirty (30) days from the date of the proposed tariff or tariff amendment filing;**

(2) **Except as provided by law, if final Commission action on a proposed tariff or tariff amendment occurs subsequent to the effective date of the proposed tariff or tariff amendment, the proposed tariff or tariff amendment shall not take effect until the date of publication of a notice of final tariff in the *District of Columbia Register*.**

...

(f) ~~Any~~ **All** relevant supporting documentation and work papers. **The supporting documentation shall include a link in the tariff filing to supporting workbooks, with formulas intact in their native file format that is directly accessible without registration or other preconditions.**

The link to work papers and supporting documentation shall be accessible until such time the Commission has taken final action on a proposed tariff or tariff amendment with the publication of a notice of final tariff.

5. Any person interested in commenting on the subject matter of this proposed rulemaking may submit written comments, no later than thirty (30) days after publication of this Notice in the *District of Columbia Register*, addressed to Brinda Westbrook-Sedgwick, Commission Secretary, Public Service Commission of the District of Columbia, 1325 G Street, N.W., Suite 800, Washington, D.C., 20005, and sent electronically on the Commission's website at https://edocket.dcpSC.org/public/public_comments. Copies of the proposed amended rules may be obtained by visiting the Commission's website at www.dcpSC.org. Once at the website, open the "eDocket" tab, click on "Search Current Dockets," and input "RM49" as the case number. Copies may also be purchased at cost by contacting the Commission Secretary at the address provided above. Persons with questions concerning this Notice of Proposed Rulemaking should call (202) 626-5150 or send an email to psc-commissionsecretary@dc.gov. After the comment period has expired, the Commission will take final action on this rulemaking.

A TRUE COPY:

BY DIRECTION OF THE COMMISSION:



CHIEF CLERK:

**BRINDA WESTBROOK-SEDGWICK
COMMISSION SECRETARY**