

**3600 PURPOSE AND APPLICABILITY**

- 3600.1 The purpose of this chapter is to establish standards and requirements for ensuring that an electric utility and electricity suppliers operating in the District of Columbia meet an adequate level of quality and reliability in the electricity service provided to District of Columbia customers.
- 3600.2 This chapter shall apply to an electric utility company and electricity suppliers operating in the District of Columbia, subject to the authority of the Public Service Commission.

AUTHORITY: D.C. Code § 34-401

SOURCE: Final Rulemaking published at 54 DCR 9376 (September 28, 2007); as amended by Final Rulemaking published at 55 DCR 1943 (February 29, 2008).

**3601 REPORTING REQUIREMENTS FOR SERVICE OUTAGES, MANHOLE INCIDENTS, AND POWER QUALITY COMPLAINTS**

- 3601.1 The electric utility shall report all major and non-major electricity service outages and manhole incidents, as well as incidents known to the electric utility that result in the loss of human life, personal injury requiring hospitalization, or service disruption directly or indirectly arising from or connected with the electric utility's maintenance or operation, that occur on the electric system within the District of Columbia to the Public Service Commission of the District of Columbia and to the Office of the People's Counsel of the District of Columbia.
- 3601.2 Upon notice of the incident, all major service outages shall be reported by telephone and e-mail to the Public Service Commission's Office of Engineering and to the Office of the People's Counsel as soon as practicable, but not later than one (1) hour after the utility has determined a major service outage had occurred.
- 3601.3 At a minimum, each telephone and e-mail report rendered by the utility subsequent to a major service outage shall state clearly the following information:
- (a) The location of the service outage(s);
  - (b) The Ward(s) where the service outage(s) occurred;
  - (c) The total number of customers out of service;
  - (d) A preliminary assessment as to the cause of the service outage(s);
  - (e) The estimated repair and/or restoration time; and
  - (f) A notification that the incident has progressed to major service outage status as defined herein.
- 3601.4 During the course of a major service outage, the utility shall report periodically to the Public Service Commission's Office of Engineering and the Office of the People's Counsel regarding the status of the service outage and the utility's progress in restoration efforts. The frequency of such periodic updates to the Office of Engineering shall be jointly determined by the utility and the Office of Engineering at the start of the service outage and/or as modified during the course of the service outage. At a minimum, the utility shall provide an update to the Office of Engineering and to the Office of the People's Counsel prior to making any changes to its estimated restoration time.
- 3601.5 Specific restoration information, including estimated restoration times, shall be provided to District of Columbia customers by the utility's customer service representatives and by the utility's automated voice response unit.

- 3601.6 The utility shall report non-major service outages by telephone and e-mail to the Public Service Commission's Office of Engineering and the Office of the People's Counsel as soon as practicable upon notice of the incident, but no later than one (1) hour after the utility becomes aware of the incident.
- 3601.7 Notwithstanding the above:
- (a) The utility shall report a single customer service outage of more than eight (8) hours only upon verification that the service outage was caused by some event on the utility's side of the customer's meter; and
  - (b) No report need be filed if the single customer service outage was caused by some event on the customer's side of the meter.
- 3601.8 At a minimum, each telephone and e-mail report concerning a non-major service outage shall state clearly the following information:
- (a) The location of the service outage(s);
  - (b) The Ward(s) where the service outage(s) occurred;
  - (c) The total number of customers out of service;
  - (d) A preliminary assessment as to the cause of the service outage(s); and
  - (e) The estimated repair and/or restoration time.
- 3601.9 The utility shall report by telephone and e-mail all manhole incidents, including smoking manholes, manhole fires, and manhole explosions, to the Commission's Office of Engineering and the Office of the People's Counsel within thirty (30) minutes upon receiving notice of the incident.
- 3601.10 At a minimum, each telephone and e-mail report concerning a manhole incident shall state clearly the following information:
- (a) The location of the incident(s);
  - (b) The Ward(s) where the incident(s) occurred;
  - (c) The total number of customers out of service;
  - (d) A preliminary assessment as to the cause of the incident(s); and
  - (e) The estimated repair and/or restoration time.
- 3601.11 The utility shall report by telephone and e-mail all incidents that result in the loss of human life and/or personal injury requiring hospitalization, directly or indirectly arising from or connected with the electric utility's maintenance or operation, to the Commission's Office of Engineering and the Office of the People's Counsel within thirty (30) minutes upon receiving notice of the incident.

- 3601.12 At a minimum, each telephone and e-mail report concerning the loss of human life and/or personal injury requiring hospitalization shall state clearly the following information:
- (a) A description of the incident(s);
  - (b) The location of the incident(s);
  - (c) The Ward(s) where the incident(s) occurred;
  - (d) The total number of customers and/or persons affected;
  - (e) A preliminary assessment as to the cause of the incident(s); and
  - (f) The steps the electric utility will take to provide assistance.
- 3601.13 A written report concerning all non-major service outages and/or manhole incidents shall be submitted to the Commission and the Office of People's Counsel within five (5) days of the event occurrence.
- 3601.14 At a minimum, each written report concerning non-major service outages and/or manhole incidents shall state clearly the following information as applicable to the given incident:
- (a) A description of the service outage(s) and/or incident(s) and information as to the cause of the event(s);
  - (b) The location of the service outage(s) and/or incident(s);
  - (c) The Ward(s) where the service outage(s) or incident(s) occurred;
  - (d) The exact time of the service outage(s) or incident(s) occurrence;
  - (e) The actual repair and restoration times of the service outage(s) and/or incident(s);
  - (f) The duration of the service outage(s) and/or incident(s) in hours and minutes;
  - (g) The total number of customers affected by the service outage(s) and/or incident(s);
  - (h) The number of manholes involved in the incident(s); and
  - (i) The classification of the manhole incident(s).
- 3601.15 Written reports concerning all incidents that result in the loss of human life and/or personal injury requiring hospitalization, directly or indirectly arising from or connected with the electric utility's maintenance or operation, shall be submitted to the Commission's Office of Engineering and the Office of the People's Counsel within five (5) days of receiving notice of the incident.

- 3601.16 At a minimum, each written report concerning the loss of human life and/or personal injury requiring hospitalization shall state clearly the following information:
- (a) A description of the incident(s) and information as to the cause of the event(s);
  - (b) The location of the incident(s);
  - (c) The Ward(s) where the incident(s) occurred;
  - (d) The exact time of the incident(s) occurrence;
  - (e) The total number of customers and/or persons affected;
  - (f) The steps the electric utility took to provide assistance;
  - (g) The amount of time it took for assistance to arrive (if known); and
  - (h) The steps the electric utility will undertake to prevent such an occurrence in the future.
- 3601.17 The utility shall provide a detailed report on all non-major service outages, manhole incidents, and/or incidents that result in the loss of human life and/or personal injury requiring hospitalization, to the Productivity Improvement Working Group (“PIWG”) every quarter.
- 3601.18 The utility shall file a written report concerning all major service outages with the Public Service Commission and the Office of People’s Counsel within three (3) weeks following the end of a major service outage.
- 3601.19 At a minimum, each written report concerning a major service outage shall state clearly the following information:
- (a) The date and time when the major service outage started, and the date and time when the major service outage ended;
  - (b) The date and time when the restoration effort started, and the date and time when the restoration effort ended;
  - (c) The date and time when the maximum number of customers were experiencing a sustained interruption and the total number of customers affected at that time (both on a system-wide basis and for the District of Columbia only);
  - (d) The total number of customers that experienced a sustained interruption given in one hour intervals throughout the major service outage (both on a system-wide basis and for the District of Columbia only);

- (e) The total number of customer interruption durations (converted into hours) during the major service outage (both on a system-wide basis and for the District of Columbia only);
- (f) Any information concerning requests made for outside assistance, including the organization(s) to which such requests were made, the date and time of the requests, and the resources requested;
- (g) Any information concerning outside assistance received, including the organization(s) that provided personnel, the date(s) and time(s) of personnel arrivals and departures, the number of and types of vehicles provided, the total number of personnel received, the total number of personnel assigned to primary overhead line crews, the total number of personnel assigned to secondary overhead line crews, the total number of personnel assigned to tree trimming crews, the total number of personnel assigned to primary underground line crews, the total number of personnel assigned to secondary underground line crews, and the total number of personnel assigned to substation crews;
- (h) Any information concerning the utility's own personnel and resources used in restoration efforts, including the total number and types of vehicles used, the total number of utility personnel involved in the restoration effort, the number of personnel assigned to primary overhead line crews, the total number of personnel assigned to secondary overhead line crews, the total number of personnel assigned to damage assessment crews, the total number of personnel assigned to tree trimming crews, the total number of personnel assigned to primary underground line crews, the total number of personnel assigned to secondary underground line crews, the total number of personnel assigned to substation crews, and the total number of personnel assigned to other supporting activities;
- (i) Any information concerning customer communications, including the hourly call volumes (specifically identifying the total number of customer calls received and the total number of calls answered by the utility during each hour of the service outage), the hourly staffing numbers (specifically identifying the total number of customer service representatives logged into the call center and supporting phone systems actively taking or waiting to take customer calls), and the telephone service factor provided on an hourly basis during the entire duration of the service outage (specifically identifying the percentage of answered calls that were answered within a 60-second timeframe);
- (j) The total number of customers interrupted and the customer interruption durations (converted into hours) caused by each of the following: fallen tree or tree limb, fallen or broken pole, lightning damage, ice accumulation on conductors, and any other major causes (both on a system-wide basis and for the District of Columbia only);
- (k) The total number of each of the following occurring as part of the restoration efforts: the number of poles replaced, the number of distribution transformers replaced, the number of fuses replaced, the

number of downed wires, the number and location of substations where equipment was damaged, the number of cross-arms issued for replacement, and the total length (in feet) of secondary and primary wires replaced or issued for replacement (both on a system-wide basis and for the District of Columbia only);

- (l) Any issues concerning the availability of materials that affected restoration progress and a description of the emergency measures taken to resolve such issues;
- (m) A self-assessment of the utility's restoration efforts in the District of Columbia;
- (n) The total number of customers, and percent of all customers, restored given in one hour intervals throughout the major service outage restoration effort (both on a system-wide basis and for the District of Columbia only); and
- (o) An analysis, based upon the availability of the data and all other surrounding circumstances, of the utility's performance in its current restoration efforts as compared to its past restoration efforts, taking into account all relevant factors, such as the severity of the current major service outage in terms of the percent of customers affected on a system-wide or local basis.

3601.20 The utility shall submit a written report to the Commission on its Outage Management System's ("OMS") actual performance during the major service outage within thirty (30) days after restoration efforts are completed.

3601.21 The utility shall record the number of power quality complaints received, the types of complaints received, the results of any subsequent investigations and the corrective actions taken, and the time it took to resolve the customer's problem.

3601.22 Power quality problems shall include, but shall not be limited to disturbances such as voltage spikes or transients, flicker and voltage sags, surges and short-time over-voltages, as well as harmonics and noise.

3601.23 The utility shall report on its Subsection 3601.21 records every six (6) months. The report shall be submitted to the Commission forty-five days following the reporting period, starting with the six (6) month reporting period following the EQSS's adoption in Title 15 of the District of Columbia Municipal Regulations (DCMR).

3601.24 The report submitted pursuant to Subsection 3601.23 shall exclude complaints resolved by the initial response of a trouble crew.

SOURCE: Final Rulemaking published at 54 DCR 9376 (September 28, 2007); as amended by Final Rulemaking published at 55 DCR 1943 (February 29, 2008).

## **3602 CUSTOMER SERVICE STANDARDS**

- 3602.1 The electric utility shall maintain a customer service (walk-in) office physically located in the District of Columbia.
- 3602.2 The electric utility shall answer seventy (70) percent of all customer phone calls received within thirty (30) seconds and shall maintain records delineating customer phone calls answered by a utility representative or an automated operator system. The electric utility shall measure and report on the average customer wait time of a customer transferred from an automated operator system to a utility representative.
- 3602.3 The utility's statistics concerning customer calls answered shall exclude calls made during periods of major telecommunication failures, periods of labor disruptions and periods of major service outage.
- 3602.4 If the utility fails to meet the Section 3602.2 standard, it shall be required to develop a corrective action plan.
- 3602.5 The corrective action plan shall describe the cause(s) of the utility's non-compliance with Section 3602.2, describe the corrective measure(s) to be taken to ensure that the standard is met or exceeded in the future, and set a target date for completion of the corrective measure(s).
- 3602.6 Progress on current corrective action plans shall be included in the utility's annual Consolidated Report.
- 3602.7 The utility shall report the actual call center performance during the reporting period in the annual Consolidated Report of the following year.
- 3602.8 The utility shall maintain a call abandonment rate below ten (10) percent.
- 3602.9 The utility's call abandonment statistics shall exclude calls made during periods of major telecommunication failures, periods of labor disruption and periods of major service outage.
- 3602.10 If the utility fails to meet the standard set in Section 3602.8, it shall be required to develop a corrective action plan.
- 3602.11 The corrective action plan shall describe the cause(s) of the utility's non-compliance with Section 3602.8, describe the corrective measure(s) to be taken to ensure that the standard is met or exceeded in the future, and set a target date for completion of the corrective measure(s).
- 3602.12 Progress on any current corrective action plans will be included in the utility's annual Consolidated Report.
- 3602.13 The utility shall report the actual performance obtained during the reporting period in the annual Consolidated Report of the following year.



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- 3602.14 The utility shall complete installation of new residential service requests within ten (10) business days of the start date for the new installation.
- 3602.15 The start date for new installations shall be designated as the first business day after all of the following events have taken place;
- (a) The customers' valid billing information is received;
  - (b) The site is ready for service (cleared, graded, staked, etc.);
  - (c) The service connection fee is paid;
  - (d) The electrical inspection is received;
  - (e) The security deposit is paid;
  - (f) All mainline primary and transformers are installed;
  - (g) Any required public space excavation is completed;
  - (h) Any delays due to weather emergencies do not intervene;
  - (i) All right-of-way and permits are obtained; and
  - (j) In the case of net metering facilities, all the applicable contract terms and conditions are met.
- 3602.16 The utility shall regularly report on its performance pursuant to Section 3602.14 every six (6) months. The report shall be submitted to the Commission forty-five (45) days following the reporting period, starting with the six (6) month reporting period following the EQSS' adoption in Title 15 of the DCMR.
- 3602.17 After four (4) Section 3602.16 reports have been submitted, the frequency of the reporting may be changed by the Commission.
- 3602.18 The Section 3602.16 report shall clearly state the total number of new residential service installation requests received during the relevant reporting period, and of the new residential installation service requests received, the percentage of new residential service connections that were completed in accordance with Section 3602.14.
- 3602.19 If the utility fails to meet the standard set in Section 3602.14, it shall be required to develop a corrective action plan.
- 3602.20 The corrective action plan shall describe the cause(s) of the utility's non-compliance with Section 3602.14, describe the corrective measure(s) to be taken to ensure that the standard is met or exceeded in the future, and set a target date for completion of the corrective measure(s).
- 3602.21 Progress on any current corrective action plans will be included in the utility's annual Consolidated Report.

3602.22        The utility shall report the actual performance obtained during the reporting period in the annual Consolidated Report of the following year.

SOURCE: Final Rulemaking published at 54 DCR 9376 (September 28, 2007); as amended by Final Rulemaking published at 55 DCR 1943 (February 29, 2008).

## **3603 RELIABILITY STANDARDS**

- 3603.1 The electric utility shall implement a plan to improve the performance of the two (2) percent least performing feeders such that no feeder in the two (2) percent least performing group shall repeat as a member of the two (2) percent least performing feeders following implementation of the plan.
- 3603.2 Individual feeder performance shall be determined using the utility's composite performance index.
- 3603.3 If the utility fails to comply with Section 3603.1, it shall be required to develop a corrective action plan.
- 3603.4 The corrective action plan shall clearly describe the cause(s) of the utility's non-compliance with Section 3603.1 (including an explanation as to why a particular feeder has remained on the list after the implementation of the plan in 3603.1), describe the corrective measure(s) to be taken to ensure that the standard is met or exceeded in the future, and provide a target date for completion of the corrective measure(s).
- 3603.5 The utility shall report on the progress of the corrective action plan in the Annual Consolidated Report submitted to the Commission.
- 3603.6 The utility shall continue the current reporting of the worst performing (lowest two (2) percent) feeders (utility methodology) and corresponding corrective action plans, with the action taken in year 1 and the subsequent performance in year 2 in the annual Consolidated Report.
- 3603.7 The utility shall complete service restoration within twenty-four (24) hours following a non-major service outage.
- 3603.8 The utility shall report on the number and percentage of non-major service outages that extend beyond the twenty-four (24) hour standard and the reasons each such outage extended beyond the twenty-four (24) hour standard.
- 3603.9 The report drafted pursuant to Section 3603.8 shall be included in the annual Consolidated Report on reliability data.
- 3603.10 The utility shall not exceed the reliability performance standards established for the following indices, calculated using District of Columbia data: System Average Interruption Frequency Index (SAIFI) and System Average Interruption Duration Index (SAIDI) (stated in hours).
- 3603.11 The reliability performance standards adopted by the Public Service Commission for SAIDI and SAIFI are established as follows:
- (a) For 2022, SAIDI shall be one and four hundredths (1.04) and SAIFI shall be fifty-seven hundredths (0.57);

- (b) For 2023, SAIDI shall be one and two hundredths (1.02) and SAIFI shall be fifty-six hundredths (0.56); and
  - (c) For 2024, SAIDI shall be one (1.00) and SAIFI shall be fifty-five hundredths (0.55).
- 3603.12 The calculations of these indices shall exclude District of Columbia Major Service Outages (MSOs) and include only outages on feeders with a majority of customers in the District of Columbia.
- 3603.13 If the electric utility fails to comply with the reliability performance standards in Subsection 3603.11, it may be subject to forfeiture in accordance with D.C. Official Code §§ 34-706 and 34-1508 (2019 Repl.) pursuant to the enforcement procedures in § 3698 of this chapter. The electric utility shall also be required to develop a corrective action plan, which it shall file for the Commission's information within thirty (30) days of filing its Annual Consolidated Report of the following year.
- 3603.14 The corrective action plan shall clearly describe the cause(s) of the electric utility's failure to comply with Subsection 3603.11, describe the corrective measure(s) to be taken to ensure that the standard is met or improved upon in the future, and provide a target date for completion of the corrective measure(s).
- 3603.15 The utility shall report on the progress of the corrective action plan in the following year's Consolidated Report submitted to the Commission.
- 3603.16 The electric utility shall also report in its Annual Consolidated Report of the following year the following reliability performance information:
- (a) Its annual reliability indices of SAIFI, SAIDI, and CAIDI, calculated first, using District-only data with and without Major Service Outages (MSOs); and second, using District-only data based on the IEEE 1366-2012 standard with and without Major Event Days (MEDs); and
  - (b) The number of its customers experiencing three or more sustained interruptions of power (CEMI3) inclusive of MSOs. When reporting CEMI3, Pepco shall indicate its CEMI3 first, across the District as a whole, second, by Ward and third, within each District neighborhood by Ward.
- 3603.17 [Reserved]
- 3603.18 [Reserved]
- 3603.19 [Reserved]
- 3603.20 Within sixty (60) days of the effective date of this subsection, the utility shall file with the Commission a Major Service Outage Restoration Plan. The utility shall comply with its Major Service Outage Restoration Plan when preparing for and responding to a Major Service Outage. The Major Service Outage Restoration

Plan shall provide a description of and procedures for the utility's response to Major Service Outage events, including, but not limited to, the following topics and issues:

- (a) Major Service Outage restoration preparation, training, and drills;
- (b) Early storm detection, storm tracking, and internal and external warnings;
- (c) Activation, mobilization, and deployment of internal and external resources, including both staffing levels and equipment;
- (d) Materials management and logistics;
- (e) Major Service Outage restoration priorities, taking into account, among other priorities, the electric power needs of emergency responders and their associated dispatching systems, hospitals, water and sewer pumping stations, natural gas utility and telecommunications service providers, national security and other essential agencies of the federal and District governments, and other essential services. In addition, the utility shall describe:
  - (1) How it prioritizes power restoration between the various priority classifications adopted by the utility;
  - (2) How it prioritizes power restoration among electric customers falling within the same priority classification; and
  - (3) How the utility prioritizes restoration of power for, and communicates with, customers, including residential customers, that have demonstrated to the utility a medical need for electricity;
- (f) Damage assessment and inspections;
- (g) Public safety, including wire down response in situations in which downed wires are guarded by fire or police responders and situations in which downed wires are not guarded by fire or police responders;
- (h) Deployment and supervision of, and communications with, field crews, whether composed of the utility's employees, employees of third party contractors, or composed of temporary personnel obtained through a mutual assistance agreement, or otherwise;
- (i) Pruning and trimming of vegetation, removal of downed trees and tree limbs, and removal of storm debris other than vegetation;
- (j) Replacement of downed poles and wires;
- (k) External communications, including communications with the:

- (1) Utility's customers, the public at large, and other interested persons;
  - (2) District's emergency responders, emergency management and communication officials, and transportation officials;
  - (3) Commission's members and designated staff;
  - (4) District's elected officials;
  - (5) District Advisory Neighborhood Commission members;
  - (6) District's Office of the People's Counsel;
  - (7) Telecommunication or cable service providers owning overhead wires or antennae attached to the utility's poles located in the District; and
  - (8) District's Urban Forestry Administration;
- (l) Internal communications;
  - (m) Communications technology use, including high call volume capability and capacity; use of social media; use of radio, television, and the print media; and use and functionality of the utility's website;
  - (n) Development and communication of estimated times of restoration and assessment of estimated times of restoration accuracy, both during and subsequent to the Major Service Outage;
  - (o) Ramp-down and post-event inspection and reporting; and
  - (p) A Major Service Outage Restoration Plan performance assessment model describing the manner in which the utility shall, within sixty (60) days following the completion of its power restoration following a Major Service Outage, evaluate and report upon its performance under each of the criteria included in its Major Service Outage Restoration Plan.

3603.21 The utility shall file with the Commission any material change to its Major Service Outage Restoration Plan at least sixty (60) days prior to implementation, unless such timing will delay implementation of the change in a manner inconsistent with restoring service in the shortest time practicable, in which case the change shall be filed no later than thirty (30) days after implementing the change.

SOURCE: Final Rulemaking published at 54 DCR 9376 (September 28, 2007); as amended by Final Rulemaking published at 55 DCR 1943 (February 29, 2008); as amended by Notice of Final Rulemaking published at 58 DCR 6026 (July 22, 2011); as amended by Notice of Final Rulemaking published at 59 DCR 1598 (February 24, 2012); as amended by Final Rulemaking published at 59 DCR 8762, 8763 (July 27, 2012); as amended by Notice of Final Rulemaking at 69 DCR 003134 (April 8, 2022).

**3604 [REPEALED]**

SOURCE: Notice of Final Rulemaking published at 54 DCR 9376 (September 28, 2007); as amended by Final Rulemaking published at 55 DCR 1943 (February 29, 2008); as amended by Final Rulemaking published at 67 DCR 4551 (April 24, 2020).

**3605 WAIVER**

3605.1 The Commission may upon request, or on its own initiative after notice to the parties of its intention do so, waive any provision of this chapter for good cause.

SOURCE: Final Rulemaking published at 55 DCR 1943 (February 29, 2008); Final Rulemaking published at 67 DCR 011091 (September 18, 2020).



## **3606 COMPLIANCE REPORTING**

3606.1 The electric utility and all electricity suppliers shall collect and retain accurate data demonstrating compliance with the measures in this chapter. Data is to be collected on a monthly basis in a format established by Commission order.

- (a) The electric utility and all electricity suppliers shall submit monthly reports to the Commission on a quarterly basis pursuant to the following schedule: the report for the months of January, February, and March shall be submitted on April 30; the report for the months of April, May, and June, on July 30; the report for the months of July, August, and September, on October 30; and the report for the months of October, November, and December, on January 30 of the following year.
- (b) If the electric utility or any electricity supplier fails a measure in a quarterly report, the electric utility or electricity supplier shall file an explanation for the failure and a plan to remedy the failure in the following quarterly report. If the failure is due to customer error, or an unforeseeable event, the electric utility or electricity supplier may request a waiver of the performance standard in its filing. The request for a waiver shall contain a detailed explanation of the reasons for granting such a waiver.
- (c) The electric utility and all electricity suppliers shall retain reporting data for seven years in the event of an audit by the Commission.

SOURCE: Final Rulemaking published at 55 DCR 7985 (July 25, 2008).

## **3698 ENFORCEMENT**

- 3698.1 The regulations in this chapter are electric reliability performance standards, some of which affect the reliability of services provided to customers. Subsection 3603 contains quality of service rules which are designated as reliability performance standards adopted by the Commission within the meaning of D.C. Official Code § 34-706(e)(4). If a utility fails to comply with Reporting Requirements in Subsection 3603, it may be subject to forfeiture or civil penalty in accordance with D.C. Official Code § 34-706.
- 3698.2 The Commission may consider the following factors in determining the amount of any civil penalty:
- (a) Number, gravity and duration of previous violation(s);
  - (b) Number, gravity and duration of current violation(s); and
  - (c) The electric utility's good-faith attempt to achieve compliance.
- 3698.3 The Commission may periodically issue compliance guidance outlining its compliance and enforcement priorities and providing additional guidance on penalty assessment for specific repeated or high-risk types of violations.
- 3698.4 Any civil penalty assessed shall be paid in full no more than thirty (30) days after the date of the Notice of Probable Violation. If there is a request for compromise through mitigation and compromise of the assessed civil penalty or a request for hearing, the civil penalty shall be paid within fifteen (15) days after an agreement is reached or after a final order is issued following a hearing.
- 3698.5 The electric utility shall not pass on to ratepayers in rates or in any other manner, or obtain tax benefits from any civil penalty imposed under this section and any other provision of Title 34 of the D.C. Official Code.

SOURCE: Final Rulemaking published at 69 DCR 003134 (April 8, 2022).

## 3699 DEFINITIONS

3699.1 When used in this chapter, the following terms and phrases shall have the meaning ascribed:

**Abandoned Calls** – a call received from a customer that a customer terminates after the customer selects the menu option and is placed in the queue, but before the call is answered by the utility customer representative or any other automated response system.

**Behind-the-meter generator** – an on-site generator that is located behind a retail customer's meter such that no Electric Company-owned transmission or distribution facilities are used to deliver the energy from the generating unit to the on-site load.

**Call Abandonment Rate** – the annual number of calls to the utility's call center or business office that were abandoned, divided by the total number of calls that the company received.

**Call Answering** – a process whereby a utility representative, voice response unit, or other automated operator system is ready to render assistance or ready to accept information necessary to process a customer's call. An acknowledgement that the customer is waiting on the line does not constitute an answer.

**Customers Experiencing Multiple Interruptions (CEMI<sub>n</sub>)** – is a reliability performance index, a number that expresses the ratio of individual customers experiencing *n* or more sustained interruptions when compared to the total number of customers served.

**Composite Performance Index (CPI)** – a measure of feeder performance that combines, in a single number, four measures of distribution feeder performance: (1) number of interruptions, (2) number of customer hours of interruption, (3) system average frequency of interruption, and (4) system average interruption duration.

**Customer Average Interruption Duration Index (CAIDI)** – a performance index that measures the average time required to restore service to the average customer experiencing a sustained interruption per sustained interruption. The measure is calculated by dividing the sum of all customer interruption durations (converted into hours) by the total number of customer sustained interruptions.

**District Neighborhood** – is a unique geographical area of the District of Columbia, the boundaries and identification which are published by the D. C. Office of Planning.

**Electric Utility (or Utility)** – the company that provides electric distribution service and is regulated by the Public Service Commission of the District of Columbia.

**Electricity Supplier** – means a person, including an Aggregator, Broker, or Marketer, who generates electricity; sells electricity; or purchases, brokers,

arranges or markets electricity for sale to customers. The term excludes the following:

- (A) Building owners, lessees, or managers who manage the internal distribution system serving such building and who supply electricity solely to the occupants of the building for use by the occupants;
- (B) Any Person who purchases electricity for its own use or for the use of its subsidiaries or affiliates;
- (C) Any apartment building or office building manager who aggregates electric service requirements for his or her building or buildings, and who does not: (i) Take title to electricity; (ii) Market electric services to the individually-metered tenants of his or her building; or (iii) Engage in the resale of electric services to others;
- (D) Property owners who supply small amounts of power, at cost, as an accommodation to lessors or licensees of the property;
- (E) Consolidators;
- (F) Community Renewable Energy Facilities (CREFs) as defined in Section 4199.1 and as described in Sections 4109.1 through 4109.3 of Title 15, pursuant to the Community Renewable Energy Amendment Act of 2013 (D.C. Law 20-47; D.C. Official Code §§ 34-1518 *et seq.*);
- (G) An Electric Company; and
- (H) Any Person or entity that owns a behind-the-meter generator and sells or supplies the electricity from that generator to a single retail customer or customers behind the same meter located on the same premise.

**Interruption duration** – the period of time, truncated or rounded to the nearest minute, during which a sustained interruption occurs.

**Major service outages** – customer interruption occurrences and durations during time periods when 10,000 or more of the electric utility’s District of Columbia customers are without service and the restoration effort due to this major service outage takes more than twenty-four (24) hours.

**Manhole fire** – incident in which flame is visible at holes in the manhole cover or around the cover’s edge and the cover remains seated in its frame.

**Manhole explosion** – incident in which a release of energy from the manhole occurs and one or more manhole covers are dislodged from their respective frames, or other debris, such as cement or dirt, is projected into the air.

**Momentary interruption** – loss of electric service of a duration limited to the time required to restore electric service by automatic and supervisory-controlled switching operation or by manual switching at a location where an operator is immediately available. If the automatic, supervisory-controlled or manual switching is not completed within five (5) minutes of the initial loss of service, the interruption is considered a sustained interruption.

**Non-major service outages** – customer service outages caused by the failure of devices such as breakers, fuses, feeder lines, substation equipment, etc., lasting over eight (8) hours, regardless of how many customers are affected; or customer service outages affecting over 100 but less than 10,000 customers, regardless of duration.

**Outside assistance** – resources not routinely used by a utility for service restoration. Resources transferred among utility operating areas are not considered outside assistance.

**Power quality** – the characteristics of electric power received by the customer, with the exception of sustained interruptions and momentary event interruptions. Characteristics of electric power that detract from its quality include waveform irregularities and voltage variations, either prolonged or transient.

**Smoking manhole** – a manhole incident in which smoke, but no visible flame, is escaping from holes in the cover or around the cover's edge.

**Sustained interruption** – loss of electric service not classified as a momentary interruption.

**System Average Interruption Duration Index (SAIDI)** – a performance index that measures the average time customers are interrupted and is calculated by dividing the sum of all customer interruption durations (converted into hours) by the total number of customers served.

**System Average Interruption Frequency Index (SAIFI)** – a performance index that measures the average frequency of interruptions per customer and is calculated by dividing the total number of customer sustained interruptions by the total number of customers served.

**Telephone service factor** – the percentage of calls answered within a specified amount of time. For example, if the service level time is set at thirty (30) seconds and 70 percent of calls are answered in less than 30 seconds, then the telephone service factor is 70.

SOURCE: Final Rulemaking published at 54 DCR 9376 (September 28, 2007); as amended by Final Rulemaking published at 55 DCR 1943 (February 29, 2008); as amended by Final Rulemaking published at 65 DCR 11025 (October 5, 2018); as amended by Notice of Final Rulemaking at 69 DCR 003134 (April 8, 2022).