



The OPC CONNECTION

March 2016

A Note from Your People's Counsel

I am pleased to share the inaugural edition of "*The OPC Connection*," the e-newsletter of the Office of the People's Counsel, created to keep you up-to-date on rapidly developing utility topics. In this first issue, I am delighted to announce that on February 17th, Mayor Muriel Bowser administered the oath of office to me, formally affirming my term as your People's Counsel. I have renewed my commitment to being an aggressive advocate for DC consumers of electric, natural gas and telecommunications services and I thank the Mayor, the DC Council and District residents for all of their broad support.



OPC remains focused on several cases that are key to keeping utility services affordable and reliable. For example, in this issue you will learn about two court decisions that will directly help consumers save money. OPC joined the PSC in opposing the legal challenge to the DC Power Line Undergrounding plan or DC PLUG that was filed by the Apartment and Office Building Association (AOBA). The DC Court of Appeals unanimously ruled against AOBA. OPC also joined environmental advocates in winning the "demand response" case at the Supreme Court.

As always, we stand ready and able to assist District residents with utility disconnections, billing disputes or other service quality concerns, so do not hesitate to contact us!

**People's Counsel Opposes the PSC's
Revised Pepco-Exelon Merger Settlement
Agreement**



In the latest action in the hotly-debated proposed Pepco-Exelon merger, on Friday, February 26, the Public Service Commission voted to allow the parties in the settlement agreement to consider alternative terms in order for the merger to be approved. However, after carefully reviewing the Commission's revisions, People's Counsel Sandra Mattavous-Frye said, "OPC cannot support the revised agreement." She said it takes away an essential benefit of the merger by removing the guarantee of no rate increases for residential electricity customers through March 2019.

The PSC's alternative proposal for the application of the \$25.6 million rate offset could translate into much higher rates for residential consumers. Mattavous-Frye said, "I am hopeful all parties and consumer participants in this case will not lose sight of the real issue in this case-the protection of our most vulnerable residents. Going forward, we will need to work cooperatively to ensure that all consumers in all 8 wards of our city are guaranteed affordable rates and reliable service, and that once the fanfare dies down, our most vulnerable residents are not forgotten."

Working for You

OPC's Consumer Services Division (CSD) staff has the resources to resolve consumers' utility complaints. For example, recently an OPC consumer complaint specialist was able to help a senior citizen get a new outdoor electric meter box. Pepco had informed the consumer the box at their home was a fire hazard that had to be replaced immediately .



Most consumers are not aware that they own and are responsible for the meter box serving their premises and any repairs it requires. The consumer is responsible for the service entry cables to their home, as well.

OPC informed the consumer of this fact when they contacted the office for help. Because the senior citizen could not afford the replacement cost, OPC immediately contacted Pepco on their behalf. CSD staff worked with Pepco to arrange for the safe replacement of the meter box at no cost to the consumer.

If you experience problems with your utilities, OPC can help. Call our Consumer Services Division at (202) 727-3071.

PROJECTpipes

Washington Gas is in the second year of PROJECTpipes, the approved 5 year gas main and service line replacement project. Approximately 20 miles of low and medium pressure cast iron mains in the District will be replaced during the first five years of construction.

Among frequently asked questions about PROJECTpipes is who will be responsible for repairing yards, sidewalks or driveways dug up during construction. WGL will have a contractor restore landscaping or property affected by the work. It will be important for residents to photograph their property before construction begins as reference if landscaping or other property damage occurs during gas pipeline replacement.

For this and other information about PROJECTpipes in your neighborhood, call the PROJECTpipes Hotline at (202) 624-6400 or visit the WGL website at www.washgas.com, click on "Washington Gas Projects in Your Area," then "District of Columbia" for a projects map. Click on the wrench icon in your neighborhood for construction details.

OPC Calls DC Appeals Court Rejection of Challenge to DC PLUG Surcharges Good for Consumers



People's Counsel Sandra Mattavous-Frye applauded the DC Court of Appeals recent decision rejecting a challenge by the Apartment and Office Building Association of Metropolitan Washington (AOBA) to the Public Service Commission's approval of two surcharges that will fund construction for the DC Power Line Undergrounding (DC PLUG). The initiative will place additional Pepco power lines underground to reduce weather-related outages. The changes proposed by AOBA would have been unjust and unduly costly for residential consumers. AOBA has since asked the Court of Appeals for reconsideration of its ruling. Should the court uphold its rejection of AOBA's latest request, this will be

a major win for consumers because the decision removes a major roadblock to DC PLUG. See more about the case [here](#).

Supreme Court Decision a Major Victory for Consumers

On January 25, the U.S. Supreme Court issued a decision affirming the authority of the Federal Energy Regulatory Commission (FERC) to regulate "demand response" in the wholesale energy markets. Demand response refers to the practice of electricity customers reducing or temporarily shutting off their use of energy during periods of high (or peak) electricity demand. Customers who respond to the peak demand by curtailing their energy usage help prevent outages that result from high demand and ultimately ensure energy resource adequacy.

OPC actively supported FERC's Supreme Court appeal by joining with the Sierra Club, Natural Resources Defense Council, Environmental Defense Fund and other noted environmental organizations in filing an amicus brief (or friend of the court brief) in February 2015. OPC continued its advocacy on behalf of District consumers by joining with the National Association of State Utility Consumer Advocates (NASUCA) in a second amicus brief in July 2015.

The Office argued, "The DC Circuit's decision appears to deny FERC's authority to pursue measures it has long recognized as 'essential to the success of competitive wholesale markets'... and jeopardizes a wide array of benefits - for the Nation's consumers, and the health of its citizens and the environment - that derive, as Congress recognized, from demand response participation in wholesale markets."

The court's decision will allow FERC to continue establishing incentives for electricity consumers to be compensated for reducing their electricity consumption.



People's Counsel, Sandra Mattavous-Frye, with Mayor Muriel Bowser at the February 17, 2016 Swearing In Ceremony



People's Counsel Welcomes Seniors and Advocates to OPC for Focus Group on Improving Utility Services for the Elderly



OPC Consumer Services Division Staff Discuss Energy Efficiency with Ward 8 Residents at So Others Might Eat (SOME) Event

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