

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

REQUEST FOR BRIEFS

July 12, 2022

**FORMAL CASE NO. 1167, IN THE MATTER OF THE IMPLEMENTATION OF
ELECTRIC AND NATURAL GAS CLIMATE CHANGE PROPOSALS,**

1. In Order No. 20662, the Public Service Commission of the District of Columbia (“Commission”) opened *Formal Case No. 1167* to commence a climate policy proceeding to consider whether and to what extent utility or energy companies under our purview are meeting and advancing the District’s energy and climate goals and then take action, where necessary, to guide the companies in the right direction.¹ In Order No. 20754, the Commission outlined the next steps in this proceeding and directed the Potomac Electric Power Company (“Pepco”) and Washington Gas Light Company (“WGL”) to make several filings regarding their climate change plans.²

2. Pursuant to Order No. 20754, Pepco filed its: (1) DC Climate Solutions Plan,³ (2) Assessment of Electrification Impacts on the Pepco DC System,⁴ (3) 5-Year Action Plan,⁵ (4) 30-Year Transition Strategy and Long-Term Outlook at the Development of Climate Solutions in the District of Columbia,⁶ and (5) Climate Solutions 5-Year Action Plan: Benefits and Costs⁷ (collectively, “Pepco’s Filings”). In Order No. 21155, the Commission revised deadlines for filing

¹ *Formal Case No. 1142, In the Matter of the Merger of AltaGas Ltd. and WGL Holdings, Inc.* (“*Formal Case No. 1142*”) and *Formal Case No. 1167, In the Matter of the Implementation of Electric and Natural Gas Climate Change Proposals* (“*Formal Case No. 1167*”), Order No. 20662, rel. November 18, 2020.

² *Formal Case No. 1167*, Order No. 20754, rel. June 4, 2021.

³ *Formal Case No. 1167*, Potomac Electric Power Company’s DC Climate Solutions Plan, filed July 20, 2021.

⁴ *Formal Case No. 1167*, An Assessment of Electrification Impacts on the Pepco DC System, filed August 27, 2021.

⁵ *Formal Case No. 1167*, Potomac Electric Power Company’s 5 Year Action Plan, filed October 8, 2021.

⁶ *Formal Case No. 1167*, Potomac Electric Power Company’s 30-Year Transition Strategy and Long-Term Outlook at the Development of Climate Solutions in the District of Columbia, filed November 30, 2021.

⁷ *Formal Case No. 1167*, Pepco’s Climate Solutions 5-Year Action Plan: Benefits and Costs, filed January 31, 2022.

comments on Pepco's Filings, establishing a consolidated comment date of June 17, 2022, and a reply comment date of September 16, 2022.⁸

3. Similarly, WGL submitted its September 1, 2021 compliance filing, which contains WGL's explanation of how the Fuel Neutral Decarbonization Scenario in the Climate Business Plan ("CBP") would provide safe, reliable, affordable, and sustainable natural gas distribution service in the District; detailed projections, models, and assumptions related to the four scenarios included in the CBP; and the workpapers, models, and projections that support all scenarios in the CBP.⁹ WGL also filed its five-year plan, Climate Change Action Program, Part 1,¹⁰ and its 30-year plan, Climate Change Action Roadmap, Part 2 (collectively, "WGL's Filings").¹¹ In Order No. 21058, the Commission revised deadlines for filing comments on WGL's Filings, establishing a consolidated comment date of July 1, 2022, and a reply comment date of October 3, 2022.¹² Additionally, Pepco,¹³ the Office of the People's Counsel for the District of Columbia,¹⁴ and Sierra Club¹⁵ have each submitted an Electrification Study.

4. Implicit in some comments is the assumption that the Commission has authority to phase out natural gas service by ordering electrification either in whole or in part. We note that the Public Service Commission is an administrative body possessing only such powers as are granted by statute, and it may issue only such orders as the Public Utilities Act authorizes.¹⁶ Therefore, as a threshold matter, the Commission invites commenters and any other interested person to brief whether and to what extent the Commission has legal authority to order electrification. The Commission recognizes that positions taken in briefs may impact comments

⁸ *Formal Case No. 1167*, Order No. 21155, rel. May 17, 2022.

⁹ *Formal Case No. 1167*, AltaGas Ltd.'s and Washington Gas Light Company's Filing in Compliance with the Directives Set Forth in Paragraph 46 of Commission Order No. 20754, filed September 1, 2021.

¹⁰ *Formal Case No. 1167*, Washington Gas Light Company's Climate Change Action Program, Part 1, filed December 15, 2021.

¹¹ *Formal Case No. 1167*, Washington Gas Light Company's Climate Change Action Roadmap, Part 2, filed January 18, 2022.

¹² *Formal Case No. 1167*, Order No. 21058, rel. November 10, 2021.

¹³ *Formal Case No. 1167*, An Assessment of Electrification Impacts on the Pepco DC System, filed August 27, 2021.

¹⁴ *Formal Case No. 1167*, Office of the People's Counsel for the District of Columbia's Equity Assessment of Electrification Incentives in the District of Columbia, filed December 3, 2021.

¹⁵ *Formal Case No. 1167*, Sierra Club's Electrification Study for the District of Columbia, filed March 11, 2022.

¹⁶ *Washington Gas Light Co. v. Pub. Serv. Comm'n of D.C.*, 982 A.2d 691, 718 (D.C. 2009); *see also Chesapeake & Potomac Tel. Co. v. Pub. Serv. Comm'n*, 378 A.2d 1085, 1089 (D.C. 1977) ("The Commission is a creature of statute and has only those powers given to it by statute.").

that have already been filed. Therefore, commenters will be given an opportunity to revise their comments before we make any decisions regarding them.

5. All interested parties are invited to submit legal briefs by August 1, 2022. Reply briefs are due within 10 days of the filing of the legal briefs. Briefs may be 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 submitted electronically on the Commission's website.