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June 30, 2020

Ms. Brinda Westbrook-Sedgwick
Commission Secretary
Public Service Commission
of the District of Columbia
1325 G Street N.W., Suite 800
Washington, DC 20005

Re: Formal Case No. 1156

Dear Ms. Westbrook-Sedgwick:

Enclosed please find Potomac Electric Power Company's ("Pepco") Objections to Baltimore-Washington Construction and Public Employees Laborers' District Council (BWLDC) Data Request Set No. 5 in the above referenced proceeding.

Please feel free to contact me if you have any questions regarding this matter.

Sincerely,

/s/ *Andrea H. Harper*

Andrea H. Harper

Enclosures

cc: All Parties of Record

**BEFORE THE
PUBLIC SERVICE COMMISSION
OF THE DISTRICT OF COLUMBIA**

IN THE MATTER OF)
)
The Application of Potomac Electric)
Power Company for Authority)
to Implement a Multiyear Rate Plan)
for Electric Distribution Service)
in the District of Columbia)

Formal Case No. 1156

**OBJECTION OF
POTOMAC ELECTRIC POWER COMPANY
TO THE BALTIMORE-WASHINGTON CONSTRUCTION AND PUBLIC
EMPLOYEES LABORERS' DISTRICT COUNCIL'S
DATA REQUEST NOS. 5-1 AND 5-3**

Pursuant to Order No. 20204 and Rule 123.1 of the Rules of Practice and Procedure of the Public Service Commission of the District of Columbia ("Commission"),¹ Potomac Electric Power Company ("Pepco" or the "Company") hereby respectfully submits the following objections to the Baltimore-Washington Construction and Public Employees Laborers' District Council ("BWLDC") Data Requests Nos. 5-1 and 5-3 to Pepco.

Respectfully submitted,

POTOMAC ELECTRIC POWER COMPANY

Andrea H. Harper
Andrea H. Harper
Assistant General Counsel

¹ 15 D.C.M.R. §123.1.

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June 30, 2020

**PUBLIC SERVICE COMMISSION OF
THE DISTRICT OF COLUMBIA
FORMAL CASE NO. 1156**

**NOTICE OF OBJECTIONS
OF POTOMAC ELECTRIC POWER COMPANY
TO BWLDC DATA REQUEST NO. 5-1**

What policies, if any, does Pepco maintain for reimbursing its construction contractors who, in response to the Covid-19 pandemic, expand health insurance coverage to employees who previously lacked health insurance?

PEPCO’S OBJECTIONS:

Pursuant to Order No. 20349,¹ the Commission extended the period for discovery in this proceeding until June 8, 2020 so as to provide the parties an opportunity to more fully address in surrebuttal testimony what they perceive as the impact of the COVID-19 emergency. In response to Order No. 20349, Pepco filed the MRP Enhanced Proposal. In Order No. 20368, the Commission held that the parties “should be allowed to continue to conduct discovery on the Enhanced MRP Proposal.”² The Commission’s continuation of discovery in Order No. 20368 was narrowly focused and designed to allow the parties to prepare supplemental testimony addressing the Company’s MRP Enhanced Proposal. It was not an opportunity for parties to conduct discovery on matters that do not relate to the MRP Enhanced Proposal and that parties should have asked prior to the end of discovery on June 8, 2020. This is precisely what DR 5-1 seeks to do. It is not focused on Pepco’s MRP Enhanced Proposal but rather is addressed to the impact of COVID-19. Indeed, this request is merely an extension of BWLDC’s Fourth Set of Data Requests, which was propounded prior to the filing of and meant to inform surrebuttal testimony. As such, pursuant to Order No. 20349, this data request was required to be submitted by June 8, 2020 and is beyond the scope of the additional discovery permitted by Order No. 20368.

¹ Formal Case No. 1156, Order No. 20349 at ¶9 (May 20, 2020)

² Formal Case No. 1156, Order No. 20368 at ¶9 (Jun. 18, 2020)

**PUBLIC SERVICE COMMISSION OF
THE DISTRICT OF COLUMBIA
FORMAL CASE NO. 1156**

**NOTICE OF OBJECTIONS
OF POTOMAC ELECTRIC POWER COMPANY
TO BWLDC DATA REQUEST NO. 5-3**

Would Pepco deem any cost increases related to reimbursing its construction contractors who, in response to the Covid-19 pandemic, expand health insurance coverage to employees who previously lacked health insurance prudent or imprudent costs of operation? Please provide an explanation for why Pepco believes these costs to be either prudent or imprudent.

PEPCO'S OBJECTIONS:

Pursuant to Order No. 20349,¹ the Commission extended the period for discovery in this proceeding until June 8, 2020 so as to provide the parties an opportunity to more fully address in surrebuttal testimony what they perceive as the impact of the COVID-19 emergency. In response to Order No. 20349, Pepco filed the MRP Enhanced Proposal. In Order No. 20368, the Commission held that the parties “should be allowed to continue to conduct discovery on the Enhanced MRP Proposal.”² The Commission’s continuation of discovery in Order No. 20368 was narrowly focused and designed to allow the parties to prepare supplemental testimony addressing the Company’s MRP Enhanced Proposal. It was not an opportunity for parties to conduct discovery on matters that do not relate to the MRP Enhanced Proposal and that parties should have asked prior to the end of discovery on June 8, 2020. This is precisely what DR 5-3 seeks to do. It is not focused on Pepco’s MRP Enhanced Proposal but rather is addressed to the impact of COVID-19. Indeed, this request is merely an extension of BWLDC’s Fourth Set of Data Requests, which was propounded prior to the filing of and meant to inform surrebuttal testimony. As such, pursuant to Order No. 20349, this data request was required to be submitted by June 8, 2020 and is beyond the scope of the additional discovery permitted by Order No. 20368.

Additionally, Pepco does not determine whether costs are prudent or imprudent. That determination is made by the Commission.

¹ Formal Case No. 1156, Order No. 20349 at ¶9 (May 20, 2020)

² Formal Case No. 1156, Order No. 20368 at ¶9 (Jun. 18, 2020)

CERTIFICATE OF SERVICE

I hereby certify that a copy of Potomac Electric Power Company's Objections to BWLDC Data Request Set No. 5 has been served this June 30, 2020 on:

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