

Dennis P. Jamouneau  
Assistant General Counsel

EP9628  
701 Ninth Street NW  
Washington, DC 20068-0001

Office 202.872.3034  
Fax 202.331.6767  
pepco.com  
djamouneau@pepcoholdings.com

September 3, 2020

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

**Re: Formal Case Nos. 1130**

Dear Ms. Westbrook-Sedgwick:

Enclosed please find Potomac Electric Power Company's Report on the Feasibility of Pepco to Implement Green Button Connect My Data in DC in the referenced proceedings.

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

Sincerely,

*/s/ Dennis P. Jamouneau*

Dennis P. Jamouneau

Enclosures

cc: All Parties of Record

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

<b>IN THE MATTER OF</b>	)	
<b>THE INVESTIGATION INTO</b>	)	
<b>MODERNIZING THE ENERGY DELIVERY</b>	)	<b>Formal Case No. 1130</b>
<b>SYSTEM FOR INCREASED</b>	)	
<b>SUSTAINABILITY</b>	)	

**REPORT ON THE FEASIBILITY OF PEPSCO TO IMPLEMENT GREEN BUTTON  
CONNECT MY DATA IN THE DISTRICT OF COLUMBIA**

Pursuant to Public Service Commission of the District of Columbia (“Commission”) Order No. 20364,<sup>1</sup> Potomac Electric Power Company (“Pepco”) submits its responses regarding the feasibility of deploying Green Button Connect My Data (“CMD”) in the District of Columbia.

**I. INTRODUCTION**

As the risks of climate change increase for the District of Columbia, Pepco believes that it has a critical role in providing District residents and communities with a range of solutions to advance decarbonization. Climate change impacts every District community, and the District is leading the nation in its commitment to addressing both the causes of and challenges presented by climate change. Pepco appreciates that a successful transformation to a decarbonized grid offers opportunities, and the utility serves as a key provider and partner to achieve District goals for emissions reduction.

Pepco has made significant progress modernizing the electric grid in the District of Columbia by increasing automation, deploying new technologies and evolving its practices to

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<sup>1</sup> *In the Matter of the Investigation into Modernizing the Energy Delivery System for Increased Sustainability*, Formal Case No. 1130, Order No. 20364 (Jun. 5, 2020) (“Order No. 20364”) at ¶ 16.

allow for more transparency and collaboration. As the Commission, stakeholders, and Pepco have worked collaboratively to address grid modernization and clean energy initiatives through the PowerPath DC proceedings, secure use of data is a foundational element to the deployment, utilization, and proliferation of smart grid devices. To that end, Pepco recognizes that intuitive and secure access to information is key to innovation and customer empowerment to address climate change, and the Company supports the Commission's interest in balancing easy access, affordability, and customer data privacy.

Green Button compliant programs are one approach to provide secure access to customer data through a set of standard protocols, security requirements, and data formats. These standards resulted from the Green Button initiative, an industry-led effort that responds to a 2012 White House call-to-action to provide utility customers with easy and secure access to their energy usage information in a consumer-friendly and electronic-friendly format. Through Green Button compliant programs, customers are able to securely download their own detailed energy usage with a simple click of a literal "Green Button" on electric utilities' websites.

The Green Button standards themselves are a set of requirements that utilities can use to create the secure data platform rather than an off-the-shelf software product. The standards were developed in partnership with the Department of Energy, the Green Button Alliance, and the National Institute of Standards and Technology ("NIST") based on the North American Energy Standards Board's ("NAESB") Energy Services Provider Interface standard.<sup>2</sup> The two Green Button standards are more commonly referred to as Download My Data ("DMD") and Connect My Data ("CMD"), and each standard describes a set of data protocols that can be developed into an end-use product. DMD is a standard that enables customers to download their electricity usage

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<sup>2</sup> <https://www.energy.gov/data/green-button>, accessed on August 31, 2020.

data from an electric service provider’s website in an industry-standard XML data format, while CMD provides “a data exchange protocol which allows the automatic transfer of data from a utility to a third party based on customer authorization.”<sup>3</sup>

Recognizing the role of customer data access in advancing smarter grid technologies and programs, Pepco already provides Green Button-compliant products for District customers. Since 2012, all District customers have had access to Green Button DMD functionality. In addition, since 2015 Pepco has provided Green Button CMD functionality to its commercial customers.

In accordance with the directives in Order No. 20364, Pepco provides this report on the feasibility of expanding deployment of CMD to residential customers, including experiences and learnings from Pepco’s sister utility Commonwealth Edison (“ComEd”).

## **II. PEPSCO RESPONSE TO ORDER NO. 20364**

### **1. Provide a narrative explaining Pepco’s experience to date with Green Button Connect My Data for commercial customers that includes, but is not limited to, the following questions.**

#### **(a) Length of time it been available, for which customer classes and how many third-party businesses use it:**

Pepco’s commercial customers have had access to CMD functionality through a tool called CEO—a third-party application managed by Schneider Electric—since 2015. The tool allows commercial customers to view 15- and 60-minute interval data and share the information with “recipients,” which could be other staff members from the same company or a third party that the customer has given consent to receive and review such data. The tool is available on the Company’s website,<sup>4</sup> and some

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<sup>3</sup> <https://www.energy.gov/data/green-button>, accessed on August 31, 2020.

<sup>4</sup> [https://www.pepco.com/WaysToSave/ForYourBusiness/Pages/DC/OnlineEnergyManagement\(CEO\).aspx](https://www.pepco.com/WaysToSave/ForYourBusiness/Pages/DC/OnlineEnergyManagement(CEO).aspx), accessed on August 31, 2020.

commercial customers have utilized the tool. According to Pepco's program data, since the launch of this functionality in 2015, Pepco commercial customers have enabled 11 "recipients." Pepco is unable to determine whether those "recipients" are additional commercial customer staff or third parties accessing the customer data.

**(b) How Pepco reviews and approves third-party businesses to participate in its CMD program:**

Currently, customers who wish to access the CMD functionality through CEO can request a CEO username and password from Pepco. Once logged into CEO, customers can specify a recipient to receive information on their accounts. Once the recipient activates a username and password, the recipient will receive the information subject to the Pepco customer's consent, until that customer revokes that permission.

**(c) The important lessons learned regarding data security and privacy protection issues:**

Security and privacy are critically important to Pepco, and the Company takes seriously its obligations under the law, Commission regulations, and customer expectations. That is why Pepco has implemented an extensive defense-in-depth cybersecurity program aligned to the NIST Cyber Security Framework ("CSF") and other industry standards to identify, detect, defend, and respond to cybersecurity threats to protect Pepco's critical infrastructure. Pepco places high priority on its role as custodian of customer data and employs various measures to safeguard that data. Exelon internally classifies and protects customer information as "Restricted Confidential Information," Exelon's highest sensitive information category. As such, customer information is subject to a wide range of technical and procedural protections,

including all the aforementioned NIST CSF defense-in-depth controls, procedural access and use restrictions, encryption of data in transit and at rest, and special contract terms and conditions to protect customer information if third-party access is essential for utility operations. Pepco has not received any complaints related to the CMD functionality through the CEO tool, including data security or privacy protection issues.

**2. Describe the options for implementing CMD functionality for all residential customers in the District of Columbia that Pepco has considered or may be considering.**

**(a) Expected costs:**

Currently, Pepco DC is the only utility in the Exelon Utilities family that is exploring the development of a new CMD product. As a result, if CMD is deployed at this time, the full costs of development and implementation will be borne by Pepco DC customers. The upfront cost to create a CMD product developed and customized for Pepco DC customers is approximately \$8 million,<sup>5</sup> and Pepco estimates that it will cost \$950,000 annually to maintain the product. This cost estimate reflects the development, subject to Commission approval, of a new Pepco CMD product that will be compliant with the 2020 update of the CMD standard and includes a self-registration process for third-party vendors.

The complete buildout of a Pepco CMD product includes development in three key areas:

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<sup>5</sup> This estimate was built based on a high-level understanding of the CMD standard requirements and leveraging existing processes from the ComEd CMD product, where applicable. This number represents the median within a range of costs.

- 1) Development and construction of web pages, interfaces, and interactions for customers and third parties, such as the integration of CMD functionality into the MyAccount web interface;
- 2) Middleware that acts as the gateway between the web pages and Pepco's firewall that ensures the right permissions, validation, and authentication process to allow approved vendors access to information; and,
- 3) Data provisioning and Application Programming Interfaces development from CMD that guide the interactions and request for data from third parties and Pepco.

The resulting Pepco CMD product would include a user-friendly interface that would be integrated into the current MyAccount platform. This interface will allow customers to easily send their data to multiple parties and send all their historical data in one transmission.

The development and implementation cost estimate also reflects a product that will include critical customer protections including a reauthorization process for third parties. This reauthorization process ensures that customers remain aware of the data access authorizations that they have granted to third parties. Similarly, the CMD tool will include additional oversight by allowing Pepco to accept third-party vendor requests manually. Manual acceptance by Pepco ensures that third parties adhere to all pre-approval requirements prior to gaining access to customer data. Ongoing maintenance will involve tracking of third-party paperwork and ensuring requirements are met before giving third parties access to customer data and ensuring adherence to any future updates to the CMD standard.

At this time, Pepco is only able to provide a high-level cost estimate, but when the Commission provides a detailed description of the CMD product and functionality required for District customers, Pepco will be able to produce a more precise cost estimate. The Company anticipates that it will take one year to construct and launch the web interface, and Pepco will leverage the existing web architecture built for ComEd to the extent feasible. However, the CMD standard was updated in 2020, and the Company's CMD web architecture must meet the updated standards. The cost estimate also includes enhancements to improve the user experience relative to the existing ComEd web architecture.

**(b) A description of the process Pepco will use to review and approve third-party businesses that wish to use CMD functionality for residential customers:**

Pepco plans to make customer access to the tool as easy as possible and to house the tool within the existing My Account platform. Existing customers will be able to go into their respective accounts and select a vendor(s), allowing customers to seamlessly establish an automated connection with the third party(ies) that will receive their energy usage data.

Pepco proposes to set up a self-registration process for third parties similar to the process that ComEd currently employs. Pepco anticipates establishing a process whereby third parties register to be added as an "approved provider" on the Pepco website. Upon receipt of registration, Pepco will provide a customer privacy agreement and a Non-Disclosure Agreement ("NDA") to the provider. This is similar to the process ComEd currently uses, which was the result of a robust proceeding before the



Illinois Commerce Commission (“ICC”) (15-0073).<sup>6</sup> Once both forms have been executed, Pepco will communicate the data security and other associated requirements of the CMD standard to which a third-party must adhere in order to access Pepco customer energy data. Once approved, the third-party will be on the list of approved vendors with whom Pepco customers may consent to share their information.

**(c) A review of CMD implementation at other utilities, both Exelon affiliates and others, that includes lessons learned regarding data security, privacy protections issues and whether Exelon data security requirements have excluded any third parties from participation in CMD at any Exelon utilities:**

Several Commissions have reviewed and implemented requirements for utilities to consider the feasibility and implementation of a tool with functionality similar to CMD that allows for a safe and secure data exchange. Examples of utilities that have implemented or been approved to implement CMD functionality include: ComEd in 2016, California utilities (authorized in 2016 but not ordered to implement),<sup>7</sup> Consolidated Edison (NY),<sup>8</sup> and National Grid (NY, planned for 2021).<sup>9</sup> However, widespread and organic adoption of the Green Button data standard has been slow since its creation in 2012, with most energy providers opting to embrace solutions tailored for jurisdiction-specific requirements that align utility back-end systems, and input from regulatory proceedings such as from stakeholder workshops, data privacy proceedings, and tariff filings. Common concerns discussed in the filings noted above

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<sup>6</sup> [https://www.comed.com/SiteCollectionDocuments/Rate\\_Dart\\_Registration\\_Form.pdf](https://www.comed.com/SiteCollectionDocuments/Rate_Dart_Registration_Form.pdf), accessed on August 25, 2020.

<sup>7</sup> <https://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M163/K294/163294060.PDF>, accessed on August 31, 2020.

<sup>8</sup> <http://documents.dps.ny.gov/public/Common/ViewDoc.aspx?DocRefId={45D0D3D4-207A-4862-9966-36149132DB29}> Accessed on September 1, 2020.

<sup>9</sup> *Id.*

include proper interval and cadence of data availability, methods for data transmission, limitations regarding third-party access to customer data, and evaluation of utility costs to implement data transmission solutions.

For example, as mentioned in a previous section, the approval and implementation of CMD for ComEd customers was the result of an ICC proceeding that spanned 14 months. Based on the information in the proceeding, the ICC determined that the following key customer protections should be put in place:<sup>10</sup>

- a) Standardized customer authorization language;
- b) Authorization to access the data should be for a 24-month period (not policed by the utility);
- c) The customer may revoke access at any time;
- d) AMI Interval data (best available, not validated for billing purposes) may be released for up to 24 months; and
- e) Third parties may not sell, share or give out the customer data acquired to any other party, except to vendors or those working on behalf of the third party (and are bound by the same security measures).

To ensure data security, ComEd requires third parties to comply with the requirements included in the Data Access and Retrieval Tenants rate (Rate DART), which reflect both Exelon IT and CMD requirements for data privacy and security.<sup>11</sup> The Rate DART includes terms and conditions related to third-party access to customer data as part of the ComEd Rates and Tariffs on file with the ICC, and Rate DART is

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<sup>10</sup> The full requirements are detailed in ICC Docket 15-0073. <https://www.icc.illinois.gov/docket/P2015-0073/documents>, accessed on August 31, 2020.

<sup>11</sup> <https://www.comed.com/SiteCollectionDocuments/MyAccount/MyBillUsage/CurrentRates/Ratebook.pdf>, pp. 292-300, accessed on August 25, 2020.

consistent with the five protections required by the ICC and summarized above. As part of Rate DART, third parties must submit a signed Rate DART registration form and NDA to ComEd.

From Pepco's perspective, the Commission should consider a tariff similar to Rate DART if it adopts CMD. A tariff similar to Rate DART would mirror many existing customer protections in the District and add provisions to prohibit vendors and third parties from using customer information in any manner not reasonably related to the vendors' or third parties' business. Such a tariff also has the benefit of providing information related to customer protections in one place, rather than having customers and third parties seek the information contained in different laws and regulations.

ComEd has noted low CMD usage rates, which is similar to Pepco's observed low usage rate of the CEO tool. Since 2016, of the approximately 4,000,000 eligible customers, 146 have provided authorization to three third-party companies (as of July 10, 2020).<sup>12</sup> ComEd offers customers information regarding the tool on their website that both explains and educates customers on the tool and the process to enable CMD.

ComEd has similarly observed that relatively few third-party providers have registered for CMD. ComEd noted that third parties that fail to complete the registration process typically do not complete the CMD standard technical setup step. Although ComEd is not aware of whether CMD data security requirements have excluded any specific third parties from participation in CMD, third parties have commented that the technical requirements are costly.

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<sup>12</sup> <https://www.comed.com/AboutUs/Pages/CompanyInformation.aspx#:~:text=ComEd%20is%20a%20unit%20of,percent%20of%20the%20state's%20populatio>, accessed on August 25, 2020.

**(d) Explain how the options for Pepco’s implementation of the CMD standard for residential customers impacts data security and customer privacy:**

Upon direction from the Commission, Pepco will implement CMD functionality based on the Green Button data standard, as described above in Section 2b. Pepco will require third parties to register and sign privacy agreement(s) prior to being added as a CMD-approved vendor for Pepco. For the third-party to receive data, the customer must provide consent and agree to terms and conditions for sharing her data with the third-party via the Pepco website. Further, as described above, the third parties accessing the data must adhere to strict security protocols to be granted access. The process, as described above and explained in more detail in response to Question 2(c), must be completed prior to any third-party being able to access customer data.

Pepco will follow the security standards and guidelines for CMD, which are available on the Green Button Alliance’s website<sup>13</sup> and are available through the NAESB.<sup>14</sup>

**(e) Explain how CMD has been used to share Greenhouse Gas (“GHG”) emissions data with customers. If it has not been used to share GHG emissions data, then explain whether it can be used for that function:**

Pepco does not currently provide GHG emissions data through the CEO tool but believes that enabling this functionality within the CEO tool aligns with the District of Columbia’s emission reduction goals. If enabled, Pepco’s commercial customers could access GHG emission data through the CEO platform. The emissions feature in CEO would work by multiplying a Pepco-provided emissions factor by the total usage

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<sup>13</sup> <https://www.greenbuttonalliance.org/certification#standard>, accessed on August 25, 2020.

<sup>14</sup> [https://www.naesb.org/misc/naesb\\_matl\\_order\\_espi\\_standards.pdf](https://www.naesb.org/misc/naesb_matl_order_espi_standards.pdf), accessed on August 25, 2020.

(measured in kilowatt hours) over an amount of time. The result is that customers using CEO would be able to see how many pounds of CO<sub>2</sub> were emitted based on their usage. The Company will include the development of a similar GHG emission tool for all customers if the Commission orders Pepco to implement the CMD platform.<sup>15</sup>

If the Commission does not order the implementation of CMD, the Company could develop a GHG emission tool and provide this information to customers within Pepco's existing platforms, such as the web-based MyAccount platform, at a low-cost relative to the CMD tool development. This approach could provide similar functionality to the GHG calculation approach discussed previously for the CEO tool.

**3. Report on Pepco's expertise implementing D.C. Code § 34-1507 (a)(3) and § 8-1774.07, which pertain to customer protections and the circumstances under which aggregated consumption data can be provided.**

**(a) Pepco's request and review process for the provision of aggregated customer data and how often Pepco has provided aggregated customer data and to which parties under these statutes:**

Sections 34-1507 and 8-1774.07 of the D.C. Code set forth customer data protections and the circumstances under which an electric utility in the District of Columbia may provide individual customer data without written consent of the customer. The exceptions to the protections are very limited.<sup>16</sup> Section 34-1507(a)(3) of the D.C. Code states:

*(1) Aggregated consumption data may be provided under the following circumstances: (A) at least 5 customer accounts must be aggregated; (B) no single customer may represent more than 80% of the total aggregated*

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<sup>15</sup> The current ComEd CMD tool does not currently include a GHG emissions factor for customers.

<sup>16</sup> The exceptions include (1) lawful disclosures for bill collection or credit rating reporting purposes and (2) lawful disclosures to a building owner about the energy consumption of a non-residential tenant of the building.

*energy consumption; and (C) no individual customer-identifying information may be included.*<sup>17</sup>

Pepco's processes are designed such that they comply with all relevant sections of the D.C. Code, including § 34-1507 (a)(3).

Since December 2015, Pepco has received and responded to 1,879 requests for historical usage from five aggregators. The requests include 606 requests for summary data and 1,273 requests for interval data.

**(b) Describe the aggregates provided, which customer classes are involved and what particular fields are provided:**

The rate categories for which the requests have been received are the following rate schedules: GT-LV, MGT-LV, GS-ND, GS-LV, GT-3A, T, R, MMA, SL, RT, AE, GS-3A and R-TM. Requests have included both commercial and residential classes, and for both types of requests (historical summary and historical interval data). Pepco provides the load profile code, rate code, capacity value, transmission value, and portion. For the historical summary, Pepco provides the monthly billed kWh for the last 12 months and kW, if applicable. For historical interval requests, Pepco provides the monthly billed kWh for the last 12 months and in 15- or 60-minute intervals.

**(c) Describe any complaints Pepco has received regarding the release of customer data under these statutes:**

No complaints have been received to date.

**4. Provide a report on the feasibility of sharing anonymized residential customer data with third parties (other than those identified in Question 3) under existing D.C. law, including but not limited to the following questions.**

**(a) Whether anonymized data is already being shared and, if so, with whom and under what circumstances:**

Portfolio Manager is the Environment Protection Agency's tool for collecting building usage and attribution data. Pepco makes a tool available to authorized requesters for the purpose of populating Portfolio Manager with their property's electricity usage data and allowing for benchmarking. To protect individual customer privacy, buildings requesting data that have four or fewer tenants require release forms for each individual tenant. In response, Pepco provides whole-building data to requestors in accordance with all relevant sections of the DC Code, including § 34-1507(a)(3). Each requestor receives an individual login to the tool that contains only data for properties that they are authorized to manage.

**(b) Whether and how customer data can be anonymized in a manner that does not compromise customer privacy or system security:**

Customer data can be anonymized utilizing a request based on zip code. However, even anonymized data must comply with current District law because "anonymity" is not an exception to the general rule in § 34-1507 (a)(1), stating that information that is "about the customer" cannot be obtained or provided absent customer consent. This means that even anonymized data must meet the requirements of § 34-1507 (a)(3) and that only aggregated data can be provided.

### III. Conclusion

Pepco appreciates the opportunity to respond to the Commission regarding the feasibility of its deployment of CMD functionality to its customers in the District of Columbia. The Company looks forward to continuing to investigate and discuss implementation of CMD for all customers.

Respectfully submitted,  
**POTOMAC ELECTRIC POWER COMPANY**

By: /s/ Dennis P. Jamouneau

Dennis P. Jamouneau  
Assistant General Counsel

Wendy E. Stark, DC Bar No. 1011577  
Kim F. Hassan, DC Bar No. 489367  
Andrea H. Harper, DC Bar No. 483246  
Dennis P. Jamouneau, DC Bar No. 983357  
701 Ninth Street, N.W.  
Washington, D.C. 20068

*Counsel for Potomac Electric Power Company*

September 3, 2020



## **CERTIFICATE OF SERVICE**

I hereby certify that a copy of Potomac Electric Power Company's Report on the Feasibility of Pepco to Implement Green Button Connect My Data in DC was sent to all parties on September 3, 2020 by electronic mail.

Ms. Brinda Westbrook-Sedgwick  
Commission Secretary  
Public Service Commission  
of the District of Columbia  
1325 G Street N.W. Suite 800  
Washington, DC 20005  
[bwestbrook@psc.dc.gov](mailto:bwestbrook@psc.dc.gov)

Sandra Mattavous-Frye, Esq.  
People's Counsel  
Office of People's Counsel  
1133 15<sup>th</sup> Street, N.W.  
Suite 500  
Washington, DC 20005  
[smfrye@opc-dc.gov](mailto:smfrye@opc-dc.gov)

Muriel Bowser  
District of Columbia Mayor  
Office of the Mayor  
1350 Pennsylvania, NW,  
Washington, DC 20004  
[eom@dc.gov](mailto:eom@dc.gov)

Rashad Young  
City Administrator  
1350 Pennsylvania Avenue, NW,  
Washington, DC 20004  
[Oca.eom@dc.gov](mailto:Oca.eom@dc.gov)

Brian Kenner  
Deputy Mayor for Planning & Economic  
Development  
1350 Pennsylvania, NW,  
Washington, DC 20004  
[Brian.kenner@dc.gov](mailto:Brian.kenner@dc.gov)

Jennie Niles  
Deputy Mayor  
Mayor's Office of Policy and Education  
1350 Pennsylvania, NW, Suite 307  
Washington, DC 20004  
[dme@dc.gov](mailto:dme@dc.gov)

Brian Caldwell  
Attorney General  
Office of the Attorney General  
441 4<sup>th</sup> Street, NW,  
Washington, DC 20001  
[Brian.caldwell@dc.gov](mailto:Brian.caldwell@dc.gov)

Phil Mendelson  
Office of the Council Chair  
1350 Pennsylvania, NW,  
Washington, DC 20004  
[pmendelson@dccouncil.us](mailto:pmendelson@dccouncil.us)

Melinda Bollinger  
Executive Director  
Department of Consumer and Regulatory  
Affairs  
1100 4<sup>th</sup> Street, SW,  
Washington, DC 20024  
[dcra@dc.gov](mailto:dcra@dc.gov)

Eric Shaw  
DC Office of Planning  
1100 4<sup>th</sup> Street, SW, Suite 650 East  
Washington, DC 20024  
[planning@dc.gov](mailto:planning@dc.gov)

Leif Dormsjo  
District Department of Transportation  
55 M Street, SE, Suite 400  
Washington, DC 20003  
[ddot@dc.gov](mailto:ddot@dc.gov)

Ana Recio Harvey  
DC Office of Small and Local Business  
Development  
441 4<sup>th</sup> Street, NW, Suite 850 North  
Washington, DC 20001  
[dslbd@dc.gov](mailto:dslbd@dc.gov)

Frederick L. Hill  
Chairperson

Sara Benjamin Bardin  
Director

DC Board of Zoning Adjustment  
441 4<sup>th</sup> Street, NW, Suite 200S  
Washington, DC 20001  
[dcoz@dc.gov](mailto:dcoz@dc.gov)

Greer Johnson Gillis  
DC Department of General Services  
2000 14<sup>th</sup> Street, NW, 8<sup>th</sup> Floor  
Washington, DC 20009  
[dgs@dc.gov](mailto:dgs@dc.gov)

Susan Nesbitt, MD, MPH  
Director  
DC Department of Health  
899 North Capitol Street, NE,  
Washington, DC 20002  
[doh@dc.gov](mailto:doh@dc.gov)

Diane Sullivan  
Director Urban Design  
National Capital Planning Commission  
401 9<sup>th</sup> Street, NW,  
Washington, DC 20004

Lariza Sepulveda  
US General Services Administration  
1800 F Street, NW, Room 2035B,  
Washington, DC 20405  
[Lariza.sepulveda@gsa.gov](mailto:Lariza.sepulveda@gsa.gov)

Vincent Orange  
President  
DC Chamber of Commerce  
506 9<sup>th</sup> Street, Suite 1001  
Washington, DC 20006  
[vorange@dcchamber.org](mailto:vorange@dcchamber.org)

Anthony Williams  
President  
Federal City Council  
1156 15<sup>th</sup> Street, NW, Suite 600  
Washington, DC 20005  
[awilliams@federalcitycouncil.org](mailto:awilliams@federalcitycouncil.org)

DC Zoning Commission  
441 4<sup>th</sup> Street, NW, Suite 200S  
Washington, DC 20001  
[dcoz@dc.gov](mailto:dcoz@dc.gov)

Edward P. Yim, Esq  
DC Office of Energy and the Environment  
1200 First Street NE,  
Washington, DC 20002  
[Edward.yim@dc.gov](mailto:Edward.yim@dc.gov)

Natalie Avery  
Executive Director  
Council of Business Improvement Districts  
441 4<sup>th</sup> Street, NW, Suite 850 North  
Washington, DC 20001  
[Lincoln.lashley@dc.gov](mailto:Lincoln.lashley@dc.gov)

George Hawkings  
Chief Executive Officer and  
General Manager  
DC Water and Sewer Authority  
5000 Overlook Avenue, NW,  
Washington, DC 20004

Eugene Kinlow  
The Office of Intergovernmental Relations  
1350 Pennsylvania Avenue, NW,  
Washington, DC 20004  
[eom@dc.gov](mailto:eom@dc.gov)

James Dinegar  
Greater Washington Board of Trade  
800 Connecticut Ave, NW,  
Suite 1001  
Washington, DC 20006  
[jimdinegar@bot.org](mailto:jimdinegar@bot.org)  
[sonyashackleford@bot.org](mailto:sonyashackleford@bot.org)

Kenyon McDuffie, Executive Director  
Metropolitan Washington Council of  
Governments  
777 North Capitol Street NE, Suite 300  
Washington, DC 20002  
[kmcduffie@dccouncil.us](mailto:kmcduffie@dccouncil.us)

Graylin Presbury  
President  
Federation of Civic Associations  
PO Box 4549  
Washington, DC 20001  
[president@dcfca.org](mailto:president@dcfca.org)

Marc E. Biondi  
Assistant General Counsel  
Washington Metropolitan Area Transit  
Authority  
650 5<sup>th</sup> Street NW,  
Washington, DC 20001  
[mebiondi@wmata.com](mailto:mebiondi@wmata.com)

Shinada Phillips  
Wards 1 Liaison  
Mayor's Office of Community Relations  
and Services  
1350 Pennsylvania Avenue, NW  
Suite 332  
[Shinada.phillips@dc.gov](mailto:Shinada.phillips@dc.gov)

John Clarke  
Wards 1 Liaison  
Mayor's Office of Community Relations  
and Services  
1350 Pennsylvania Avenue, NW  
Suite 332  
[John.Clarke@dc.gov](mailto:John.Clarke@dc.gov)

Brianne Nadea  
Councilmember  
Mayor's Office of Community Relations  
and Services  
1350 Pennsylvania Avenue, NW  
Suite 332  
[bnadea@dccouncil.us](mailto:bnadea@dccouncil.us)

Claudia Barahona  
Constituent Services Director  
Mayor's Office of Community Relations  
and Services  
1350 Pennsylvania Avenue, NW  
Suite 332  
[Cbarahona@dccouncil.us](mailto:Cbarahona@dccouncil.us)

Elizabeth Horen  
Constituent Services Specialist  
Mayor's Office of Community Relations  
and Services  
1350 Pennsylvania Avenue, NW  
Suite 332  
[ehoren@dccouncil.us](mailto:ehoren@dccouncil.us)

Kent C. Boese  
Chair  
1A08  
608 Rock Creek Church, NW  
Washington, DC 20010  
[1A08@anc.dc.gov](mailto:1A08@anc.dc.gov)

Rashida Brown  
Commissioner  
1A10  
430 Irving Street NW, #106  
Washington, DC 20010  
[1A10@anc.dc.gov](mailto:1A10@anc.dc.gov)

Dotti Love Wade  
Commissioner  
1A11  
1116 Columbia Road NW  
Washington, DC 20009  
[1A11@anc.dc.gov](mailto:1A11@anc.dc.gov)

Brian Footer  
Commissioner  
1B01  
1822 4<sup>th</sup> Street NW, #4  
Washington, DC 20001  
[1B01@anc.dc.gov](mailto:1B01@anc.dc.gov)

Ellen Nedrow Sullivan  
Commissioner  
1B02  
1906 9<sup>th</sup> Street, NW  
Washington, DC 20001  
[1B02@anc.dc.gov](mailto:1B02@anc.dc.gov)

Sedrick Muhammad  
Commissioner  
1B03  
2515 13<sup>th</sup> Street, NW  
Washington, DC 20009  
[1B03@anc.dc.gov](mailto:1B03@anc.dc.gov)

James A. Turner  
Chair  
1B09  
1236 Girard Street, NW  
Washington, DC 20009  
[1B09@anc.dc.gov](mailto:1B09@anc.dc.gov)

Amir Irani  
Commissioner  
1C01  
1841 California Street, NW  
Washington, DC 20009  
[1C01@anc.dc.gov](mailto:1C01@anc.dc.gov)

Brendan Reardon  
Commissioner  
1C06  
1726 Lanier Place, NW  
Washington, DC 20009  
[1C06@anc.dc.gov](mailto:1C06@anc.dc.gov)

Eva Lewis  
Ward 2 Liaison  
Mayor's Office of Community Relations  
and Services  
1350 Pennsylvania, NW, 332  
Washington, DC 20004  
[Eva.lewis@dc.gov](mailto:Eva.lewis@dc.gov)

Sherri Kimbel  
Director of Constituents Services  
Ward 2 Council  
1350 Pennsylvania, NW, Suite 106  
Washington, DC 20004  
[skimbel@dccouncil.us](mailto:skimbel@dccouncil.us)

Robb Hudson  
Commissioner  
1B11  
919 Florida Avenue, NW, #204  
Washington, DC 20001  
[1B11@anc.dc.gov](mailto:1B11@anc.dc.gov)

Ted Guthrie  
Chair  
1C03  
1849 Kalorama Road, NW, Apt. 2  
Washington, DC 20009  
[1C03@anc.dc.gov](mailto:1C03@anc.dc.gov)

Amanda Fox Perry  
Commissioner  
1C08  
1664-D Beekman Place, NW  
Washington, DC 20009  
[1C08@anc.dc.gov](mailto:1C08@anc.dc.gov)

Jack Evans  
Councilmember  
Ward 2 Council  
1350 Pennsylvania, NW, Suite 106  
Washington, DC 20004  
[jevans@dccouncil.us](mailto:jevans@dccouncil.us)

Amorde Brabham  
Constituent Services Liaison  
Ward 2 Council  
1350 Pennsylvania, NW, Suite 106  
Washington, DC 20004  
[Abraham@dccouncil.us](mailto:Abraham@dccouncil.us)

John Tinpe  
Chair  
2C01  
777 7<sup>th</sup> Street, NW, #506  
Washington, DC 20001  
[2C01@anc.dc.gov](mailto:2C01@anc.dc.gov)

Kevin Wilsey  
Commissioner  
2C03  
631 D Street, NW, #332  
Washington, DC 20004  
[2C03@anc.dc.gov](mailto:2C03@anc.dc.gov)

Jasmin Benab  
Ward 4 Liaison  
Mayor's Office of Community Relations  
and Services  
1350 Pennsylvania Avenue, NW, 332  
Washington, DC 20004  
[Jasmin.benab@dc.gov](mailto:Jasmin.benab@dc.gov)

The Honorable Brandon T. Todd  
Councilmember  
Ward 4 Council  
1350 Pennsylvania Avenue, NW, 105  
Washington, DC 20004  
[btodd@dccouncil.us](mailto:btodd@dccouncil.us)

Connor Weber  
Constituent Services Specialist  
Ward 4 Council  
1350 Pennsylvania Avenue, NW, 105  
Washington, DC 20004  
[cweber@dccouncil.us](mailto:cweber@dccouncil.us)

Ronald Austin  
Chair  
4B06  
6120 North Dakota Avenue, NW  
Washington, DC 20011  
[4B06@anc.dc.gov](mailto:4B06@anc.dc.gov)

Douglass Sloan  
Commissioner  
4B09  
313 Nicholson Street, NE  
Washington, DC 20011  
[4B09@anc.dc.gov](mailto:4B09@anc.dc.gov)

Theresa Harrison  
Commissioner  
2C02  
400 Massachusetts, NW, #1019  
Washington, DC 20001  
[2C02@anc.dc.gov](mailto:2C02@anc.dc.gov)

Phillip McAuley  
Ward 4 Liaison  
Mayor's Office of Community Relations  
and Services  
1350 Pennsylvania Avenue, NW, 332  
Washington, DC 20004  
[Phillip.mcauley@dc.gov](mailto:Phillip.mcauley@dc.gov)

Whitley O'Neal  
Constituent Services Specialist  
Ward 4 Council  
1350 Pennsylvania Avenue, NW, 105  
Washington, DC 20004  
[woneal@dccouncil.us](mailto:woneal@dccouncil.us)

Jackson Carnes  
Director of Constituent Services  
Ward 4 Council  
1350 Pennsylvania Avenue, NW, 105  
Washington, DC 20004  
[jcarnes@dccouncil.us](mailto:jcarnes@dccouncil.us)

Gabrielle Priest  
Constituent Services Specialist  
Ward 4 Council  
1350 Pennsylvania Avenue, NW, 105  
Washington, DC 20004  
[gpriest@dccouncil.us](mailto:gpriest@dccouncil.us)

Barbara Rogers  
Commissioner  
4B08  
339 Oneida Street, NE  
Washington, DC 20011  
[4B08@anc.dc.gov](mailto:4B08@anc.dc.gov)

Vann-Di Galloway  
Chair  
4C06  
3809 13<sup>th</sup> Street, NW  
Washington, DC 20011  
[4C06@anc.dc.gov](mailto:4C06@anc.dc.gov)

John-Paul C. Hayworth  
Commissioner  
4C07  
4215 8<sup>th</sup> Street NW #2  
Washington, DC 20011  
[4C07@anc.dc.gov](mailto:4C07@anc.dc.gov)

Joseph Martin  
Commissioner  
4C09  
4230 4<sup>th</sup> Street, NW  
Washington, DC 20011  
[4C09@anc.dc.gov](mailto:4C09@anc.dc.gov)

Renee L. Bowser  
Commissioner  
4D02  
5322 2<sup>nd</sup> Street, NW  
Washington, DC 20011  
[4D02@anc.dc.gov](mailto:4D02@anc.dc.gov)

Krystal Branton  
Commissioner  
4D05  
250 Farragut Street NW #106  
Washington, DC 20011  
[4D05@anc.dc.gov](mailto:4D05@anc.dc.gov)

Hakeem Rogers  
Ward 5 Liaison  
Mayor's Office of Community Relations  
and Services  
1350 Pennsylvania Avenue, NW, 506  
Washington, DC 20004  
[hakeem.rogers@dc.gov](mailto:hakeem.rogers@dc.gov)

Wesley Dawson  
Ward 5 Liaison  
Constituent Services Coordinator  
1350 Pennsylvania Avenue, NW, 506  
Washington, DC  
[wdawson@dccouncil.us](mailto:wdawson@dccouncil.us)

Timothy A. Jones  
Commissioner  
4C08  
737 Rock Creek Ch. Rd. NW #110  
Washington, DC 20010  
[4C08@anc.dc.gov](mailto:4C08@anc.dc.gov)

Jonah Goodman  
Commissioner  
4C10  
4217 4<sup>th</sup> Street, NW  
Washington, DC 20011  
[4C10@anc.dc.gov](mailto:4C10@anc.dc.gov)

Lisa Colbert  
Commissioner  
4D03  
601 Gallatin Street, NW  
Washington, DC 20011  
[4D03@anc.dc.gov](mailto:4D03@anc.dc.gov)

Malik Williams  
Ward 5 Liaison  
Mayor's Office of Community Relations  
and Services  
1350 Pennsylvania Avenue, NW, 332  
Washington, DC 20004  
[Malik.williams@dc.gov](mailto:Malik.williams@dc.gov)

Laisha T. Dougherty  
Ward 5 Liaison  
Constituent Services Coordinator  
1350 Pennsylvania Avenue, NW, 506  
Washington, DC 20004  
[ldougherty@dccouncil.us](mailto:ldougherty@dccouncil.us)

Miya Brown  
Ward 5 Liaison  
Constituent Services Coordinator  
1350 Pennsylvania Avenue, NW, 506  
Washington, DC 20004  
[mcbrown@dccouncil.us](mailto:mcbrown@dccouncil.us)

Sandi Washington  
Commissioner  
5A07  
32 Buchanan Street, NE  
Washington, DC 20011  
[5A07@anc.dc.gov](mailto:5A07@anc.dc.gov)

Bradley Ashton Thomas  
Commissioner  
5E05  
107 P Street NW  
Washington, DC 20001  
[5E05@anc.dc.gov](mailto:5E05@anc.dc.gov)

Bradley Ashton Thomas  
Commissioner  
5E05  
107 P Street NW  
Washington, DC 20001  
[5E05@anc.dc.gov](mailto:5E05@anc.dc.gov)

Rachel Mariman, Ward 6 Liaison  
Mayor's Office of Community Relations  
and Services  
1350 Pennsylvania Ave., NW,  
Washington, DC 20004  
[rachel.mariman@dc.gov](mailto:rachel.mariman@dc.gov)

Jamaal A. Jordan  
Director of Constituent Services  
Ward 6 Liaison  
1350 Pennsylvania Ave., NW, 406  
Washington, DC 20004  
[jjordan@dccouncil.us](mailto:jjordan@dccouncil.us)

Karen Wirt  
Chair  
6C02  
234 E Street, NE  
Washington, DC 20002  
[6C02@anc.dc.gov](mailto:6C02@anc.dc.gov)

Angel Sherri Alston  
Chair  
5A08  
32 Buchanan Street, NE  
Washington, DC 20017  
[5A07@anc.dc.gov](mailto:5A07@anc.dc.gov)

Teri Janine Quin  
Chair  
5E06  
1708 2<sup>nd</sup> Street NW  
Washington, DC 20001  
[5E06@anc.dc.gov](mailto:5E06@anc.dc.gov)

Ed Doxen, Ward 6 Liaison  
Mayor's Office of Community Relations  
and Services  
1350 Pennsylvania Ave., NW, 406  
Washington, DC 20004  
[Edward.doxen@dc.gov](mailto:Edward.doxen@dc.gov)

The Honorable Charles Allen  
Councilmember  
Ward 6 Liaison  
1350 Pennsylvania Ave., NW, 406  
Washington, DC 20004  
[callen@dccouncil.us](mailto:callen@dccouncil.us)

Naomi Mitchell  
Community Liaison  
Ward 6 Liaison  
1350 Pennsylvania Ave., NW, 406  
Washington, DC 20004  
[nmitchell@dccouncil.us](mailto:nmitchell@dccouncil.us)

Marjorie Lightman  
Commissioner  
6D01  
1100 6<sup>th</sup> Street, SW  
Washington, DC 20002  
[6D01@anc.dc.gov](mailto:6D01@anc.dc.gov)

Stacy Braverman Cloyd  
Commissioner  
6D02  
771 Delaware Avenue, SW  
Washington, DC 20024  
[6D02@anc.dc.gov](mailto:6D02@anc.dc.gov)

Andy Litsky  
Chair  
6D04  
423 N Street, SW  
Washington, DC 20024  
[6D04@anc.dc.gov](mailto:6D04@anc.dc.gov)

Rhonda N. Hamilton  
Commissioner  
6D06  
44 O Street, SW  
Washington, DC 20024  
[6D06@anc.dc.gov](mailto:6D06@anc.dc.gov)

Rachelle P. Nigro  
Commissioner  
6E04  
437 New York Avenue, NW  
Washington, DC 20001  
[6E04@anc.dc.gov](mailto:6E04@anc.dc.gov)

Antonio Barnes  
Commissioner  
6E06  
54 M Street, NW  
Washington, DC 20001  
[6E06@anc.dc.gov](mailto:6E06@anc.dc.gov)

Taresa Lawrence, Deputy Director  
Energy Administration  
Department of Energy & Environment  
1200 First Street NE, 5th Floor  
Washington, DC 20002  
[taresa.lawrence@dc.gov](mailto:taresa.lawrence@dc.gov)

Rachel Reilly Carroll  
Commissioner  
6D03  
800 4<sup>th</sup> Street, SW  
Washington, DC 20024  
[6D03@anc.dc.gov](mailto:6D03@anc.dc.gov)

Roger Moffatt  
Commissioner  
6D05  
1301 Delaware Avenue, SW  
Washington, DC 20024  
[6D05@anc.dc.gov](mailto:6D05@anc.dc.gov)

Kevin L. Chapple  
Commissioner  
6E02  
438 Street, NW  
Washington, DC 20001  
[6E02@anc.dc.gov](mailto:6E02@anc.dc.gov)

Marge Maceda  
Chair  
6E05  
475 K Street, NW, #802  
Washington, DC 20001  
[6E05@anc.dc.gov](mailto:6E05@anc.dc.gov)

Alfreda S. Judd  
Commissioner  
6E07  
117 Pierce Street, NW  
Washington, DC 20001  
[6E07@anc.dc.gov](mailto:6E07@anc.dc.gov)

Cathy Thurston-Seignious  
Washington Gas Light Company  
101 Constitution Avenue, NW Suite 300  
Washington, DC 20080  
[cthurston-seignious@washgas.com](mailto:cthurston-seignious@washgas.com)

/s/ Dennis P. Jamouneau  
Dennis P. Jamouneau