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

November 12, 2026

FORMAL CASE NO. 1176, 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

STATEMENT OF COMMISSIONER RICHARD BEVERLY IN RESPONSE TO THE POTOMAC ELECTRIC POWER COMPANY

1. On November 6, 2026, I issued a statement that recapped how the Commission got to this point and reiterated my long-standing position that I don't think the MRP as designed is in the public interest. The Commission's role in this case is not just to set a rate based on evidence in a hearing but also to determine as a matter of policy whether it is in the public interest to approve a paradigm shift from traditional ratemaking to an MRP designed by Pepco. In my opinion, the latter determination is a threshold question that should have been resolved based on an evaluation of the first pilot MRP. Additionally, the evaluation should have included a determination of all the factors/elements that Pepco must include in its MRP to ensure that the plan was in the public interest, rather than just in Pepco's interest, but that didn't happen.

2. Pepco muddled the process by filing a second MRP before the Commission had evaluated the pilot and the Commission further muddled the process by proceeding with its review of the second MRP rather than rejecting it as premature. As a matter of policy, I think an MRP should contain certain factors/elements and, to avoid any misunderstanding, I made clear that I am disinclined to set a rate under an MRP when these factors/elements are absent. I have voiced my objection throughout this case, and I voiced it again in my dissent to the Commission order that was vacated by the Court. The MRP does not change simply because the Commission holds a court-directed evidentiary hearing. Because the MRP has not changed, my opinion of it remains the same.

3. Pepco filed a response to my statement on November 10, 2026, implying that under its notion of fundamental fairness, I should refrain from continuing to voice my longstanding objection to the MRP. Specifically, Pepco states: "Pepco is … concerned that repeated public statements regarding the merits of Pepco's application by a Commissioner who is likely to participate in the ultimate decision raise serious questions regarding Pepco's ability to receive fair and impartial consideration of the evidentiary record. The integrity of the Commission's

adjudicative process, and confidence that decisions will be based on the record developed through that process, are important not only to Pepco, but to District customers and all parties appearing before the Commission."[1]

4. Although Pepco apparently thinks otherwise, I have a right and a duty as a Commissioner to express my opinion that the MRP as designed is not in the public interest and that no rate should be set under it. Pepco is not deprived of a fair and impartial consideration of its MRP just because my opinion of it is not to their liking. If a majority of Commissioners disagree with me and believe that the MRP is adequate as designed, then they can set the rate based on evidence in the record and I remain free to dissent on the same policy grounds as I have before.

[1] *Formal Case No. 1176,* Potomac Electric Power Company's Response to November 6, 2026 Statement of Commissioner Beverly. November 10, 2026.