

BEFORE THE PUBLIC SERVICE COMMISSION OF THE  
DISTRICT OF COLUMBIA

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IN THE MATTER OF :  
THE APPLICATION OF POTOMAC :  
ELECTRIC POWER COMPANY FOR : Formal Case No.: 1139  
AUTHORITY TO INCREASE EXISTING:  
RETAIL RATES AND CHARGES FOR :  
ELECTRIC DISTRIBUTION SERVICE :

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Washington, D.C

Wednesday, April 12, 2017

The Hearing in the above-captioned matter  
began at 6:05 p.m., at the Offices of Public Service  
Commission of the District of Columbia, 1325 G Street,  
Northwest, Suite 800, Washington, D.C. 20036.

BEFORE: BETTY ANN KANE, CHAIRMAN  
RICHARD BEVERLY, COMMISSION STAFF  
WILLIE L. PHILLIPS, COMMISSION STAFF

## A P P E A R A N C E S

Chairman Betty Anne Kane  
Commissioner Staff Willie Phillips  
Commissioner Staff Richard Beverly  
Sandra Mattavous-Frye, ESQ.

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## 1 P R O C E E D I N G S

## 2 INTRODUCTION:

3 MS. KANE: Good evening. This is a community  
4 hearing of the Public Service Commission of the  
5 District of Columbia in the Formal Case 1139, which is  
6 In the Matter of the Application of the Potomac  
7 Electric Power Company for Authority to Increase  
8 Existing Retail Rates and Charges for Electric  
9 Distribution Service.

10 For the record, I'm Betty Ann Kane, and  
11 today is April 12, 2017. I am the Chairman of the  
12 Public Service Commission. To my right is Commissioner  
13 Richard Beverly. To my left is Commissioner Willy L.  
14 Phillips.

15 This is our last community hearing in Formal  
16 Case 1139. We had four community hearings preceding  
17 the evidentiary hearings, the formal evidentiary  
18 hearings that we held here at the Commission, and now  
19 we have this final community hearing. A little bit of  
20 background, just to -- I think most people here are  
21 familiar with it, but just background, again, for the  
22 record.

1           On June 30, 2016, Pepco filed an Application  
2   Requesting Authority to Increase Existing Distribution  
3   Rates and Services -- Rates and Charges for Electric  
4   Service in the District of Columbia, in the amount of  
5   \$85.5 million.

6           On February 1, 2017, Pepco amended its  
7   request and now seeks an increase of \$76.8 million,  
8   and that is representing approximately 21.24 percent  
9   of their current distribution revenues, which are  
10   \$361.5 million. Pepco requests the authority to earn  
11   an 8 percent rate of return, including a return on  
12   equity of 10.6 percent, and Pepco has represented that  
13   its application would translate to an increase in  
14   distribution rates of approximately \$3.84 a month for  
15   the typical residential customer, who uses 675  
16   kilowatt hours a month.

17           Before we proceed -- and for those persons  
18   who also may be watching through our webcast and let  
19   me remind everyone here, that we do stream these  
20   hearings live. We also archive them. So if you have a  
21   long weekend and something you want to do, you could  
22   watch all of our hearings live. I ask you first of

1 all, if you do have any cell phones or anything else  
2 that makes noise, if you would turn it off so that it  
3 doesn't get included in the recording of the hearing,  
4 and also anything else that would make noise.

5 But, what I want to say about the  
6 distribution hearings, and for everyone, is to draw  
7 your attention to a common misunderstanding about rate  
8 cases. Only a portion of the amount that is -- that a  
9 typical customer pays for electricity on their  
10 residential electric customer bill, is actually  
11 regulated by the Commission, whether it's electricity  
12 actually, or whether its gas. In the case of a  
13 residential electric customer with standard offer  
14 service, which is the default service provided by  
15 Pepco to customers who haven't chosen a competitive  
16 supplier, about a third of the bill represents  
17 distribution or delivery charges.

18 So, for an average residential customer, for  
19 whom the approximate monthly bill is about \$83.30,  
20 that's at the 675 kilowatt hours a month, only about  
21 \$27.62 represents the distribution delivery charge of  
22 that bill. And of that \$27.62, \$7.24 represents taxes

1 and surcharges that are set by the DC Council, not by  
2 the Commission. I see my former colleague, a council  
3 member, Frank Smith here -- and familiar with the  
4 right-of-way fee, the delivery tax, and some of the  
5 other charges that are set by the Council, but added  
6 to the bills.

7 So, actually only about \$20.38 of an \$83.30  
8 bill is set by the Commission in the context of a rate  
9 case. We don't mean to de Minimis that amount. Every  
10 penny that people pay is important and important to be  
11 looked at and be justified, but we want people to  
12 understand that it is just that portion of the bill.  
13 Once you take out the taxes it's about 25 percent of  
14 the bill that is the issue that is in this rate case  
15 that is before us.

16 So we welcome any comments that persons may  
17 want to submit on this matter for our consideration.  
18 We will hear from the people who have signed up, first  
19 of all, this evening, and if other -- people who  
20 called in ahead of time. Anyone else who did not sign  
21 up ahead of time and has spoken to the secretary out  
22 in the lobby, we will then hear your comments. And if,

1 as you sit here, anybody else wants to decide to  
2 speak, just go out and see the secretary.

3 And then I want to remind the public that  
4 the record in the case will close on April 26, 2017,  
5 and that will be our deadline for any additional  
6 written comments that anyone wants to submit in this  
7 case. So, without further ado, let me go to our list  
8 of witnesses.

9 The first, we have Deborah Shore  
10 representing the Ward 3 Democratic Committee. Ms. Dee  
11 Lederer is representing the Ward 3 Democratic  
12 Committee. Thank you. Brian Lederer, our former  
13 People's Council.

14 MR. LEDERER: So, we know the chain of  
15 authority, I'm also --

16 FEMALE VOICE: (Inaudible)

17 MS. KANE: Let me. There's a little -- where  
18 it says "push" and make sure the green light is on. On  
19 your microphone, there you go.

20 WITNESS TESTIMONY:

21 MR. LEDERER: Does it seem on? Yes. I was  
22 also Chair of the Ward 3 Democratic Committee and I'm



1 on the Executive Board as well as People's Council, so  
2 it is an honor to testify. And I do understand the  
3 challenge that any one of these cases present, and  
4 particularly because they're usually just a piece in a  
5 bigger puzzle and sometime hard to figure out what to  
6 do with the piece without looking at the puzzle.

7           Anyway, we have a resolution that's attached  
8 to the written testimony, which -- and I've submitted  
9 the written testimony, but I'll just read the  
10 testimony. I won't read the resolution, then. I wanted  
11 to say the Ward 3 Democratic Committee, which is part  
12 of the State Committee, and we're people who are  
13 politically active in the City, and the issue of  
14 energy rates and utility rates for -- not just for  
15 Pepco, but just for the whole economy of the City is a  
16 driving issue for our committee.

17           And so we're grateful for the Public Service  
18 Commission holding this public hearing and giving us a  
19 chance to speak on it. I am Brian Lederer, a delegate  
20 of the Ward 3 Democratic Committee, a member of the  
21 Executive Board, as I said, a former Chair, and a  
22 member of their Task Force on Transportation and the

1 Environment. I am testifying on the behalf of our  
2 Chair, Deborah Shore, and the Task Force Chair, Susan  
3 Bass because the entire body of the Ward 3 Democratic  
4 Committee passed the Resolution on March 9, which is  
5 attached to testimony urging the Public Service  
6 Commission to reject Exelon and Pepco's proposed \$76.8  
7 million 21 percent hike in electric distribution  
8 rates.

9 We believe that the request to, what we call  
10 "dramatically increase" the electric distribution  
11 rates is not in the public interest for several  
12 reasons: (1) The DC Office of People's Council, which  
13 has thoroughly looked at these numbers does recommend  
14 that more 66 percent of the requested increase be  
15 denied; (2) This, what we call "unjust and  
16 unreasonable" proposed rate increase would increase  
17 financial hardship and make it difficult for  
18 residents.

19 I mean -- I'm just adding something here --  
20 we all know that every -- virtually every business and  
21 every resident in the City, uses electricity for  
22 lighting, for heating, for various reasons. The City

1 uses it. So, this is an important issue and we say,  
2 also seniors and those of limited or fixed incomes.

3 (3) This rate case is especially important  
4 to DC ratepayers because this is the first rate case  
5 since the PSC -- narrowly, shall we say -- split  
6 decision. It doesn't matter. I'm not here to pick on  
7 the PSC on that decision, but it narrowly allowed  
8 Exelon's takeover of Pepco.

9 The PSC's decision will not only determine  
10 the rate shock ratepayers will experience, but it will  
11 also set a precedent for future rate cases, from this  
12 entity, the Exelon/Pepco entity, in other regulatory  
13 proceedings before the PSC. So this is, like maybe a  
14 case of first impression that sets precedent for this  
15 new entity.

16 (4) With interest rates continuing at record  
17 low levels and no interest, evidence of a plan, or a  
18 need for Exelon/Pepco to sell additional common  
19 equity, Exelon/Pepco seeks to increase its authorized  
20 rate of return on common equity, significantly from  
21 that allowed in previous PSC orders, No. 17424 and No.  
22 16930.

1           Yeah, it is a little strange -- and this is  
2 my comment -- to be seeking to increase the return on  
3 equity, in an era where we've had unprecedented low  
4 interest rates for a long time, and unless there's a  
5 risk that they're not disclosing to the Commission, I  
6 can't see any financial justification for doing that.

7           (5) Exelon/Pepco has to show, as required in  
8 PSC Order No. 18160, that customers are not being  
9 asked to pay any part of Exelon's reported, at least  
10 \$259-plus million in acquisition costs that's reported  
11 in their end of 2015 filings with the Securities and  
12 Exchange Commission. Incurred in this takeover, nor  
13 any part of its later costs, for lobbying and  
14 advertising costs incurred by Pepco or Exelon, related  
15 to the takeover acquisition, however you want to call  
16 it.

17           We therefore ask that Pepco [sic] reject  
18 their request for this \$76 -- that the PSC reject  
19 Exelon/Pepco's request for this \$76.8 million dollar  
20 21.2 percent increase in distribution revenues, and to  
21 grant only what OPC finds to be fair and reasonable.

22           We believe that the PSC should scrutinize

1 all elements of the rate request and, additionally:

2 (a) Deny the requested 13 percent in  
3 profits, which we believe would only benefit Exelon,  
4 the sole owner of Pepco stock, and instead, reduce the  
5 authorized rate of return on common equity, from the  
6 10.6 percent they're requesting to the 8.6 percent  
7 recommended by OPC. We support that.

8 (b) Use the full \$25.6 million customer base  
9 rate credit, the CBRC, that the PSC adopted in FC  
10 1119, to provide bill credits that would effectively  
11 freeze rate increases to residential customers because  
12 the residential rate class, unlike the commercial rate  
13 class, does not have the ability to pass along these  
14 Exelon/Pepco rate increases to others;

15 (c) Disapprove any part of the rate increase  
16 that would allow Exelon/Pepco to recover construction  
17 costs for projects, or assets not yet completed, or in  
18 operation to serve customers.

19 As an aside, in many formal cases ago that  
20 used to have construction work in progress, which it  
21 sounds like a similar thing to this, and when I was  
22 People's Council, we can, by doing load analysis, and

1 engineering analysis, and reliability analysis, show  
2 they didn't need to build the level of supply to meet  
3 their reliability requirements that they were asking  
4 for in the finances. And this just sounds like  
5 something that's similar.

6 (d) Deny any costs in the Exelon/Pepco rate  
7 case, that relate -- that was Formal Case 685, by the  
8 way, where that analysis was done in case you want --  
9 the Commission wants to look at some of that work that  
10 was done -- anyway, deny any cost in the Exelon/Pepco  
11 rate request that relate to Exelon's takeover of  
12 Pepco, and expressively exclude those costs from any  
13 PSC-approved rate increase.

14 I just wanted to add one other thing. I  
15 mean, this Commission has spent a lot of time,  
16 imagination, energy and effort looking for other ways  
17 than just building new plants, through conservation  
18 and other means, and I would -- and I think the Ward 3  
19 Committee, strongly believes this Commission should  
20 use every bit of its authority under Munn v. Illinois,  
21 to ensure that they have a reasonable return, but on  
22 the base that uses conservation and other means to

1 meet our energy needs, it often is far less expensive  
2 than just building new plants.

3 And we assume that there's a challenge to  
4 the Commission because now this is sort of like a  
5 piece of a big puzzle, that probably runs from the  
6 Atlantic to Chicago, and really separating out what is  
7 flowing through and what isn't, is a challenge, but we  
8 encourage the Commission to use every bit of its  
9 authority to get to the bottom of it, in the best  
10 interests of the economy and the residents and the  
11 businesses of this City. Thank you very much.

12 MS. KANE: Thank you very much, Mr. Lederer.  
13 We'll put your statement in the record and the  
14 resolution.

15 MR. LEDERER: Thank you.

16 MS. KANE: Roderic Woodson?

17 (No audible response.)

18 MS. KANE: I didn't see Mr. Woodson come in  
19 yet.

20 Miguel Ramirez? Mr. Ramirez.

21 MR. RAMIREZ: Good evening, Madame Chair and  
22 members of the Commission. My name is Miguel Ramirez.

1 I and my partner have lived in Ward 6, at 607 3rd  
2 Street, NE, for almost 15 years, since May 1, 2002, to  
3 be exact.

4 Over the last several years, I have noticed  
5 a positive difference in the consistency of my  
6 electric service and have also noticed that my  
7 electric bill has remained relative stable, especially  
8 when I compare it to other routine monthly bills, such  
9 as cable, water, gas, and even my newspaper  
10 subscription, which seem to keep increasing. Most  
11 important, I honestly can't remember the last time  
12 that we had an outage or experienced a flickering of  
13 lights, something which used to occur infrequently,  
14 but enough that I can recall.

15 In my community of Capitol Hill, or Capitol  
16 Hill North, or NoMA, the name has changed twice since  
17 we've been there, we are experiencing a huge influx of  
18 new residents and all types of new development:  
19 residential, retail and restaurants. All of which we  
20 enthusiastically welcome.

21 We have a new Giant down the street. We have  
22 a Harris Teeter that just opened on H and 6th. We have



1 the Harris Teeter -- a Giant on the corner of 3rd and  
2 H, but this new development means more and more people  
3 needing more and more electricity to power their  
4 lights, their computers, their televisions, and their  
5 gadgets. I understand and support the need for Pepco  
6 to keep up.

7 I want an electric system that is reliable  
8 and keeps pace with our City and its changing needs.  
9 To my understanding, that is exactly what this rate  
10 case is about; Pepco making investments that allow it  
11 to keep pace with our changing City, maintaining and  
12 upgrading aging infrastructure. I am supportive of  
13 this work, and I'm supportive of paying my fair share,  
14 and I underscore "fair share."

15 I look to you, the Public Service  
16 Commission, to do your due diligence, to make sure  
17 that you grant Pepco what is fair for me and other  
18 ratepayers, and at the same time fair to Pepco, so  
19 that it can be encouraged to keep the City's electric  
20 infrastructure up-to-date and state-of-the-art. Thank  
21 you for your consideration. Thank you for your service  
22 to the citizens of this City and thank you for your

1 continued strong oversight of this critical utility.

2 MS. KANE: Thank you very much, Mr. Ramirez.

3 Eric Grant?

4 MR. GRANT: Good evening, members of the  
5 Commission. I am Eric Grant, Vice President, of  
6 McKissack & McKissack, a national engineering  
7 architecture and construction management firm  
8 headquartered in Washington, DC. As a native  
9 Washingtonian, I'm especially grateful to be able to  
10 join you on behalf of McKissack this evening.

11 McKissack is an outgrowth of the nation's  
12 oldest African American-owned architecture firm.  
13 Although we are most recently known for managing the  
14 construction of the new National Museum of African  
15 American History and Culture, the Martin Luther King  
16 Memorial, and the MGM Resort at National Harbor, our  
17 most essential and focused efforts are geared towards  
18 enhancing the lives of the residents of the District.

19 McKissack has worked on several projects  
20 contributing to the quality of life throughout the  
21 District of Columbia. As the program manager for the  
22 modernization of the District's Public Schools,

1 McKissack manages the construction and renovation of  
2 school facilities under the DC Partners for the  
3 Revitalization of Education Projects.

4           The program's commitment is to fully  
5 modernize 123 schools throughout the City, resulting  
6 in more than 12 million square feet of newly-  
7 constructed or renovated space. Dunbar High School is  
8 one of the success stories, having been recognized as  
9 the greenest school in the world; LEED Platinum  
10 certified, according to the U.S. Green Building  
11 Council.

12           McKissack's infrastructure and design  
13 practices have long served the District by working  
14 with Pepco, to design four substations, which are  
15 part of the generation transmission and distribution  
16 systems. Our affiliated company, McKissack Inspection  
17 Services, provides infrastructure inspection services  
18 for many of the region's utilities. A common and  
19 unyielding threat affecting infrastructure throughout  
20 the nation, whether it's a natural gas pipeline, water  
21 main, or electric transmission station, is age and  
22 deterioration.

1           Some electric, gas, and water distribution  
2       systems have been delivering services to customers for  
3       almost a century. Delivering clean, efficient, and  
4       uninterrupted service to customers is the overriding  
5       priority for utilities, government agencies,  
6       regulators, and companies such as McKissack. Pepco and  
7       other utilities have made a conscientious effort,  
8       replacing and repairing their systems on a continuous  
9       basis, but these efforts are very costly.

10           When McKissack inspects, designs, or manages  
11       construction of utility infrastructures, our engineers  
12       and inspectors have a clear, unfettered view of the  
13       systems, and the people who are responsible for  
14       delivering safe and reliable service to customers.  
15       Pepco customers can be assured that safety and  
16       reliability are the overriding priorities for the  
17       company. These goals are not compromised; however,  
18       considerable capital, operations and maintenance costs  
19       are involved.

20           The electric utility sector is capital-  
21       intensive, with many costs originating directly from  
22       investments in the maintenance of power plants,

1 transmission and distribution lines, also equipment  
2 and structures that are used to deliver electricity to  
3 customers. The recent work Pepco has performed to  
4 upgrade their technology and infrastructure has  
5 allowed the company to meet stringent reliability  
6 requirements, which directly benefit residents of the  
7 District.

8           McKissack and Pepco share the belief that  
9 clean energy is essential in providing a sustainable  
10 future. Just as McKissack has implemented renewable  
11 technology in the DC Public Schools, Pepco is  
12 committed to develop at least 7 megawatts of new solar  
13 energy and purchase 100 megawatts of wind energy.  
14 Pepco has long been a valuable contributor to the  
15 District, through its charitable giving to nonprofits  
16 serving the community.

17           Many Pepco employees live and raise families  
18 in these communities. The company has dedicated  
19 funding for workforce development to assist District  
20 residents in finding employment. Some McKissack  
21 employees are also residents of the City, and are  
22 Pepco customers. Rate increases are not undertaken in

1 a vacuum it's a cooperative process, balancing the  
2 needs of customers and costs to deliver services.

3 The two principles at the core of this  
4 process that remain the priority for Pepco and other  
5 utilities, are safety and reliability. Pepco lives  
6 these principles and has invested capital and  
7 resources to ensure that these principles are never  
8 compromised. The company has not filed for a rate  
9 adjustment since 2013.

10 We, at McKissack, witnessed the work Pepco  
11 has performed to strengthen and modernize their  
12 system. We witness this every day. We support their  
13 effort to seek a reasonable adjustment. Thank you.

14 MS. KANE: Thank you, Mr. Grant.

15 Kevin Clinton?

16 MR. CLINTON: Good evening. Members of the  
17 Commission, thank you for the opportunity to testify  
18 this evening at this community hearing. My name is  
19 Kevin Clinton. I'm the Chief Operating Officer of the  
20 Federal City Council.

21 We're a civic organization committed to the  
22 improvement of the District of Columbia.

1 MS. KANE: Mr. Clinton, it says on the signup  
2 sheet that you're speaking for yourself, but you're  
3 speaking on behalf of the Federal City Council?

4 MR. CLINTON: Yes.

5 MS. KANE: Thank you, very much.

6 MR. CLINTON: Thank you.

7 MS. KANE: Okay.

8 MR. CLINTON: The Federal City Council  
9 weighed in publicly in support of the merger between  
10 Exelon and Pepco because we believe that the  
11 reliability and resiliency of the District's electric  
12 supply system is critical to the excess of our  
13 economy. A strong, financially-healthy electric  
14 utility company provides jobs, contracting  
15 opportunities and helps attract businesses to D.C.

16 We believed at the time that the merger  
17 would infuse expertise and help create economies of  
18 scale that would benefit Pepco's operations and over  
19 the long term, reduce electricity costs to customers,  
20 while improving metrics of reliability and quality.  
21 Some have argued that this latest rate increase  
22 proposal is evidence that the merger is not resulting

1 in lower costs to customers, but we have a very  
2 different perspective, so it's my pleasure to share  
3 that with you this evening.

4 This is the first rate increase Pepco has  
5 filed since 2013. If approved, increases customers  
6 will see in June 2017, will come 3 years after their  
7 previous increases. A bill for a typical customer  
8 would increase by \$3.84. An increase of this amount  
9 for the average customer, their residential bill will  
10 still be lower than it was 5 years ago, due to the  
11 overall declines in the price of electricity.

12 And as you know quite well, even these  
13 increases could be offset by an allocation of \$25.6  
14 million that Exelon and the Commission had allocated  
15 during the merger discussions, and depending on  
16 decisions as to how those offsets are allocated, could  
17 keep residential delivery rates flat through early  
18 2019. But, why are increases needed at all?

19 And our belief is it's the importance of the  
20 electric infrastructure in the City. Since the last  
21 rate increase, Pepco's made investments of \$658  
22 million in improvements, enhancements and



1 modernizations to its distribution system, and it's  
2 seeking to recover just \$76.8 million of these  
3 investments through this increase. They've reduced --  
4 these investments have reduced the number and length  
5 of power outages, delivered improved service to  
6 customers and enable the company to exceed your  
7 reliability standards in '13, '14, '15 and '16.

8           Power outages can be quite impactful to the  
9 economy, so these efforts have been very beneficial to  
10 D.C. businesses and customers. So we believe these  
11 upgrades are critical important -- of critical  
12 importance. Reliability is something you take for  
13 granted until it's gone. I think we can all take a  
14 look at D.C.'s experience with our Metro system, for  
15 an example of what happens when you don't invest in  
16 your existing infrastructure.

17           So, in addition to supporting these  
18 investment decisions, we also support and appreciate  
19 how Pepco goes about doing it, and they've set aside  
20 \$5 million for workforce development for District  
21 workers. As a commitment to D.C. businesses, they've  
22 spent \$47.8 million with certified business

1 enterprises.

2 Exelon is continuing Pepco's commitment to  
3 the community, donations of \$4.7 million in 2016,  
4 including both \$2.5 million from Pepco, and an  
5 additional \$19 million over 10 years from Exelon. So  
6 they're making investments in their community, in our  
7 community, and they are also making commitments and  
8 fulfilling their commitments to green energy through  
9 the development of 7 megawatts of new solar energy and  
10 the purchase of 100 megawatts of wind energy.

11 And then lastly, of considerable importance  
12 to D.C.'s business community, we think it's an  
13 important statement that Exelon has decided to keep  
14 and retain its corporate headquarters for Pepco in  
15 D.C., and retain the local management team to run the  
16 company. So thank you very much. I appreciate the  
17 opportunity to testify this evening.

18 MS. KANE: Thank you very much, Mr. Clinton.  
19 I'll put your statement also in the record.

20 Wilma Harvey?

21 (No audible response.)

22 MS. KANE: I don't see Ms. Harvey. Okay.

1 Janice Zieria?

2 (No audible response.)

3 Geraldine Bell?

4 (Cell Phone Ring Tone Sounds)

5 MALE VOICE: Sorry.

6 MS. KANE: You're just doing some music for  
7 Ms. Bell to come up to, right?

8 (Laughter)

9 MS. BELL: Special. Good evening Chairman  
10 Kane, Commissioner Phillips, and Commissioner Beverly.  
11 Congratulations Commissioner Beverly on your recent  
12 appointment and to the Chairman Kane and Commissioner  
13 Phillips, thank you for your continued service.

14 I am Geraldine Bell, a long-term resident of  
15 Ward 7 in the District of Columbia. Thank you for the  
16 opportunity to provide remarks on Pepco's proposed  
17 rate increase. I have testified before the Public  
18 Service Commission previously.

19 As shared at that time, I expressed that I  
20 have been involved in community advocacy and  
21 engagements for virtually all of my life, advocating  
22 for those that are most vulnerable and ensuring

1 equality for communities that are not always treated  
2 and/or viewed equitably. Professionally, I am a  
3 retired budget analyst of the federal government.

4 I have traveled and lived abroad for many  
5 years, and have brought many of those experiences home  
6 for advanced -- to advance the interests of the  
7 community in which I reside. I am the current Vice  
8 Chair of the Parkside Civic Association and the Vice  
9 Chair of Remedial Investigation and Feasibility Study,  
10 Pepco Community Advisory Group.

11 I have -- I view myself as having decent  
12 knowledge regarding the electric utility. I reside  
13 within the immediate vicinity of the Pepco Vending  
14 Service Center, and have followed matters regarding  
15 Pepco for a very long time, and I have very brief  
16 remarks this evening.

17 I have witnessed improved service, fewer  
18 outages and a reduced time in restoring service when  
19 outages do occur. I do recognize that their work  
20 continues. I would also like to acknowledge Pepco for  
21 being engaged in the community.

22 Earlier, I mentioned my service on the

1 Remedial Investigation and Feasibility Study Community  
2 Advisory Group. This group has been constituted for  
3 several years and meeting monthly in public settings.  
4 This has been most helpful in the process.

5 Pepco's support for community initiatives is  
6 both recognized and appreciated. Of utmost concern for  
7 all, and I realize this, is making certain that Pepco  
8 keeps the lights on. I do know that the Commission  
9 holds Pepco accountable for doing so, and the Office  
10 of the People's Counsel is instrumentally involved in  
11 representing the customers' interests.

12 I ask that you continue to hold Pepco  
13 accountable and make a decision on this request that  
14 considers ongoing service improvements, while also  
15 being considerate of the impact on residents,  
16 specifically the most vulnerable. I testified in the  
17 past in support of the merger. I am very familiar that  
18 there is over \$20 million to help lower the impact of  
19 this increase on customers.

20 I do ask that this offset is applied to  
21 residential customers. Thank you for the opportunity  
22 to speak this evening. And again, thank you for your

1 service.

2 MS. KANE: Thank you, Ms. Bell.

3 And I am remiss. I, of course, referenced  
4 Mr. Lederer, as his previous service as People's  
5 Counsel, but I want to recognize our current People's  
6 Counsel, Sandra Mattavous-Frye, who is here.

7 MS. MATTAVOUS-FRYE: Thank you.

8 MS. KANE: And Ms. Sistrich (phonetic) who is  
9 also with her. Thank you.

10 Let's see. Wen Liang?

11 MR. LIANG: Good evening, Chairman Kane,  
12 Commissioner Phillips and Commissioner Beverly. Thank  
13 you for convening an additional community hearing on  
14 Pepco proposed rate adjustment. My name is Wen Liang.  
15 I'm the Vice President of Anchor Construction.

16 For more than 30 years, Anchor Construction  
17 has been a trusted local contractor in construction to  
18 our government agencies, private organizations and  
19 commercial institutions throughout the D.C. and  
20 Baltimore regions. Anchor has been a contractor with  
21 Pepco for around 10 years. We received a construction  
22 contract through our competitive bidding process, and

1 since that time we have been executing construction  
2 projects for Pepco and its affiliate service  
3 companies.

4 As a D.C. based CBE, Certified Business  
5 Enterprise, we specialize in year-round heavy and  
6 civil construction projects. Typical projects we're  
7 involved in are building new rehabilitation of old and  
8 existing critical structure such as power system and  
9 the water lines that support our daily lives. Through  
10 us, grounded in excellence means that we go above, and  
11 beyond, in every aspect of our business, which  
12 parallels with Pepco's commitment to its operational  
13 excellence.

14 Because of longstanding and a close  
15 relationship we have with Pepco, I understand  
16 personally how capital-intensive the regulated utility  
17 business is. Significant upfront investment must be  
18 made in order to provide and maintain the reliable  
19 electrical distribution service. While recovery for a  
20 portion of that borrowed capital comes years later, in  
21 a much detailed review, as a proceeding that is  
22 occurring before the Public Service Commission.

1           I would like to, a brief cite, a 2016 report  
2     that related to this subject. In 2016, the National  
3     Capital Section of the American Society of Civil  
4     Engineers, CSCE/ASCE released the 2016 report cards  
5     for D.C.'s in structure [sic], which includes the  
6     District bridges, drinking water, energy, power and  
7     gas, levies, parks, rails, roads, schools, solid  
8     waste, transit and wastewater. They gave D.C. an  
9     average C grade. Also this grade is a bit higher than  
10    our national average, which is D.

11           We can't stop improving our aging in  
12    structure [sic]. To be a world class City, like all of  
13    us desire, we need to put more focus on resiliency,  
14    safety and reliability of our in structure, like the  
15    power grid. We need a better roads and a better  
16    underground structure for now and into the future, our  
17    children. On a personal note, as I grew up from a  
18    developing country, and witnessed how investing in  
19    structure transform a community and a city overseas.

20           I say to your honorable Commissioners, we  
21    need to continue investment here in our Nation's  
22    Capital, to attract the businesses, talents that we



1 allow this great city to continue grow into the future  
2 and to compete with other cities. Data has showing in  
3 terms of investment for the important in structure  
4 projects. It is cheaper to build now than to wait  
5 later years.

6 We can't afford to miss this opportunity.  
7 Pepco has performed great work by significantly  
8 improving the reliability over the last few years.  
9 However, I do realize that there is related [sic] and  
10 important variables that must be considered, namely,  
11 the impact to the customer. I respectfully urge the  
12 Commission to reach a decision that allows the Pepco  
13 to continue its reliability improvement while  
14 maintaining a reasonable rate for the customer, who  
15 understandably concerned the raise in cost. Thank you  
16 for the opportunity to provide comments.

17 MS. KANE: Thank you, Mr. Liang.

18 Steve Lanning?

19 MR. LANNING: Thank you, Commissioners for  
20 holding this additional public hearing on Pepco's  
21 request for a rate increase. My name is Steve Lanning,  
22 I'm a Ward 1 resident and former ANC Commissioner. I'm

1 employed by the Mid-Atlantic Regional Organizing  
2 Coalition of the Laborers' International Union of  
3 North America, or "LIUNA" for short.

4 I'm here today representing the views of  
5 LIUNA. We have more than 6500 members in the  
6 Washington, D.C. area, and many of our members are  
7 D.C. residents. LIUNA is predominantly a construction  
8 union whose members perform infrastructure and site  
9 utility work. LIUNA opposes Pepco's request for a rate  
10 increase.

11 Pepco does not have a procurement policy in  
12 place, that ensures equitable wages and benefits for  
13 workers employed by its outsource contractors, which  
14 Pepco identifies as its "reliability contractors."  
15 This lack of wage and benefit standards has had a  
16 negative impact on D.C. residents who work for these  
17 reliability contractors. In our efforts to talk to  
18 these workers about the benefits of collective  
19 bargaining and unionization, the overwhelming majority  
20 of workers expressed fear or reprisals and retaliation  
21 by the respective employers.

22 LIUNA can provide documentation that shows

1 the company's hostility toward the employees  
2 organizing. Pepco should have a procurement system  
3 that doesn't create an additional financial hardship  
4 for those employed by its reliability contractors. As  
5 the employees who work for Pepco's reliability  
6 contractors testify tonight, and will indicate Pepco's  
7 procurement system has created a race to the bottom  
8 approach of awarding contracts.

9 When a contractor pays below the minimum  
10 wage, then clearly the procurement system has failed.  
11 Pepco does not deserve a rate increase until this  
12 problem is fixed. Utilities in other jurisdictions  
13 that outsource a considerable portion of their  
14 construction work have found solutions. LIUNA believes  
15 that the best approach is to adopt the model that  
16 Exelon follows in Chicago of ComEd the electric  
17 utility for the Chicago area.

18 In Chicago, a collectively-bargained  
19 agreement is in place for all contracted out work. One  
20 of the biggest benefits to this approach is that the  
21 utility and the utility regulator know what part of a  
22 rate increase goes to the wages of the contracted-out

1 work force. This approach ensures a negotiated wage  
2 increase for contracted-out workers, not just the  
3 workers employed directly by the utility.

4 It ensures that all frontline workers are  
5 treated fairly. By adopting this model, Pepco can  
6 ensure that D.C. residents employed by its own  
7 reliability contractors will be able to afford  
8 proposed rate increases. Thank you for the opportunity  
9 to comment.

10 MS. KANE: Okay. Thank you, very much. Mr.  
11 Lanning, you referenced a model. Did you attach that  
12 to your testimony?

13 MR. LANNING: I did not, but I can certainly  
14 supply that, yes.

15 MS. KANE: Thank you.

16 MR. LANNING: We have that readily available.

17 MS. KANE: Thank you.

18 Okay. Zerihun Gaines? Mr. Gaines?

19 MR. GAINES: Thank you for having me here  
20 today at this hearing. Hello, my name is Zerihun  
21 Gaines. I'm a construction neighbor and I work for B.  
22 Frank Joy, one of Pepco's reliability contractors.

1 I oppose this request for a rate increase. I  
2 work very hard. I need to arrive at work at 6:00 a.m.  
3 every morning before my job so I could get a  
4 dispatched job to go out to work. I stay on the job  
5 until the work is completed.

6 It's a very long and hard day for little  
7 pay. In fact, my employer who does a lot of work for  
8 Pepco, was paying me below D.C.'s minimum wage. They  
9 had to issue me back pay.

10 It wasn't a simple mistake. The company  
11 underpaid me for more than one year. The letter  
12 attached to my statement is the letter, the company  
13 admitted it was underpaying me.

14 I asked to look at the low wages the  
15 reliable contractors pay workers like me at B. Frank  
16 Joy. We receive no regular pay raise.

17 I live paycheck-to-paycheck. I can barely  
18 make ends meet. Direct employees of Pepco make a lot  
19 more than we do at B. Frank Joy, even though we all  
20 perform very similar work. D.C. water sites assess the  
21 wages for construction workers. Why can't Pepco do the  
22 same?

1           A living wage floor would protect workers  
2     like me. Even though I do not work directly for Pepco,  
3     I am helping to improve Pepco service. I do deserve  
4     better treatment. Thank you.

5           MS. KANE: Thank you, Mr. Gaines. Mr.  
6     Gaines, you referenced a letter that was attached to  
7     your testimony. Have you turned that in to the  
8     secretary?

9           MR. GAINES: (No audible response.)

10          MS. KANE: Okay. If you would turn it in, so  
11     we'd have it for the record? Thank you.

12          Anthony Woods?

13          (No audible response.)

14          MS. KANE: Let me go back then to see -- has  
15     Mr. Woodson come in? Roderic Woodson?

16          (No audible response.)

17          MS. KANE: No? Wilma Harvey? Janice Zieria?

18          (No audible response.)

19          MS. KANE: All right. Let me check with the  
20     secretary. Do we have some additional people who've  
21     signed up? Thank you.

22          All right. Frank Smith?

1 MR. SMITH: Thank you very much,  
2 Councilwoman. I guess we'll always call you that, Ms.  
3 Kane.

4 To the Commissioners that are here, I think  
5 I've met Mr. Kelly before, I guess I have not met  
6 before, but my name is Frank Smith. I'm the Ward 1 --  
7 well, I'm a Ward 4 resident now, but for the last 49  
8 years, I was a Ward 1 resident, and for 16 of those  
9 years, I represented that Ward on the City Council  
10 here, in the District of Columbia.

11 And in that role, I was the oversight person  
12 for the Public Service Commission for many years. So,  
13 I'm very familiar with your procedures and with your  
14 responsibility to be fair and equitable in this  
15 consideration. I applaud you for your work and wish  
16 you Godspeed.

17 I come today as a private citizen in a role  
18 that is entirely new for me, as I rise to support the  
19 rate increase for the pending matter before the  
20 Commission. I support the petition for several  
21 reasons.

22 One is that Pepco's reliability has improved

1 over many years. I think everybody in the room who's  
2 been around for as long as I have, knows that. We've  
3 had a significant increase in the reliability of this  
4 organization over the last several years.

5 We have fewer power outages and when they do  
6 occur, they don't last very long, and I don't think  
7 I've seen one, certainly, in my neighborhood in Druid  
8 Park, in the last 15 or 20 years. The (inaudible) that  
9 includes a substantial amount of money to improve  
10 customer service and to make further improvements that  
11 will benefit the customers in the service area.

12 These improvements and benefits are to  
13 continue, and the company is to remain healthy. It may  
14 be necessary for the Commission to allow Pepco to have  
15 some increase from time to time. And I think you all  
16 know that the regulatory scheme that we put together  
17 is set up so that from time to time, you could -- you  
18 have to examine that issue and see what you need to  
19 do.

20 But the main reason why I rise today, is  
21 because I have firsthand knowledge of the fact that  
22 Pepco is a good corporate citizen. And although I come



1 to you here as a private citizen, many of you already  
2 know that in addition to being a Ward 1 Councilmember,  
3 I'm also the founding director of the African American  
4 Civil War Memorial and Museum.

5 Back in 1992, when we were just getting  
6 started out and no one else believed in us, Pepco gave  
7 us the small grant that we needed to go to the  
8 archives and get the names of 209,145 soldiers whose  
9 names now appear on the memorial wall at 10th and U  
10 Street, to build the nation's first monument to the  
11 African American soldiers in the Civil War. And from  
12 time to time since then, we've had some amounts of  
13 support for them.

14 And I know that the settlement between Pepco  
15 and Exelon sets up a fund for nonprofits to do great  
16 work here in the District of Columbia. And let me just  
17 say, as a matter of full disclosure, my name is not on  
18 that list. Although they have agreed to -- they have  
19 given us grants from time to time.

20 And so Pepco also, in addition to other  
21 things, is a good corporate citizen, and we have very  
22 few large corporations in the District of Columbia

1     that are corporate citizens. And I am pleased to know  
2     that they have decided to keep their offices here,  
3     although there was some talk about them moving at one  
4     time or another. So I come today to support this  
5     petition.

6             You have to do your job. That's what we sent  
7     you down here for. I'm sure you will be fair and  
8     equitable in this. But I just wanted to let you know  
9     what I think. Thank you, very much.

10            MS. KANE: Thank you, very much, Mr. Smith,  
11     and thank you for all of your -- Councilmember Smith,  
12     for all of the work with the Civil War, the African  
13     American Civil War Museum. And so people know, Mr.  
14     Smith is going to be honored by the Historical Society  
15     of the District of Columbia, as the Annual Historian  
16     History Maker award next month.

17            (Applause.)

18            MR. SMITH: Thank you.

19            MS. KANE: Melanie Bailey?

20            MS. BAILEY: Good evening everyone. I want to  
21     thank you for allowing residents of the City to speak  
22     to this important issue. I'm a resident of 1231

1 Underwood Street, NW, D.C. I was raised in D.C. and  
2 recently I retired and I live on a very limited  
3 budget.

4 Just like most people, I don't like seeing  
5 my expenses go up. However, over the last couple of  
6 years, I've seen the quality of my electric service  
7 improve and I don't want to see that change. I  
8 therefore support this request by Exelon/Pepco.

9 I watch the way I spend my money and I  
10 believe in this case, that this is a good investment  
11 of the little I have right now. I feel that if someone  
12 is doing a good job, they need to be treated fairly,  
13 just as I would want the same for myself.

14 If this request is what is needed to keep  
15 the lights on and for Exelon/Pepco to continue to  
16 expand and provide us with dependable and good service  
17 that I have seen, and my community and my neighbors  
18 have seen, I support it.

19 And I thank you for the time, for giving my  
20 comments. Take care.

21 MS. KANE: Thank you, Ms. Bailey.

22 MS. BAILEY: Thank you.

1 MS. KANE: Donna, is it Dowdy? Donna Dowdy?

2 MS. DOWDY: Good evening Chairperson Kane,  
3 Commissioner Beverly and Commissioner Phillips. I hope  
4 you all are having a good evening. My name is Donna  
5 Dowdy, and I am a resident of Ward 5.

6 I'm also a homeowner and a small business  
7 owner, and have a small property management company.  
8 One of the things that I used to seriously have a  
9 problem with, you know, with Pepco years ago, was with  
10 outages. You cannot imagine if there's an outage, in a  
11 building how many phone calls I would get.

12 It was just complete overload. My phone  
13 would just ring constantly. And these were people who  
14 needed their C-Pap's machines, you know they couldn't  
15 sleep without their C-Pap machines so they had life  
16 threatening, you know, illnesses and machines that  
17 they needed to have. And so they needed their  
18 electricity restored immediately.

19 And for some reason, they thought I had  
20 something to do with this, so they would lay me out.  
21 And the calls would just come in, day after day, every  
22 minute, every hour that the electricity was out, I was

1 getting phone calls, a plethora of phone calls. And I  
2 was very, very overwhelming for me.

3 I have noticed, I am so pleased to say, that  
4 as of recent, as the underground wiring that you all  
5 have been doing or have done, it has been a huge  
6 success that I've noticed in my experience because the  
7 phone calls have stopped. I have not seen an outage  
8 in, I cannot remember how long it's been, and it's  
9 just been a catharsis almost, a breath of fresh air,  
10 that when there's a big storm or simple inclement  
11 weather, I feel you know a peace of mind in knowing  
12 that there probably won't be an outage.

13 So I don't know what you all are doing, but  
14 whatever it is, keep on doing it. The quality of  
15 customer service has increased 100 percent. There was  
16 a time when I used to call Pepco and get passed  
17 around. Everything is taken care of efficiently.

18 Your customer service people are  
19 accountable. They do what they -- if they say they're  
20 going to call you back in 5 minutes, they call you  
21 right back. They're very kind. They recommend  
22 solutions.

1           They're very knowledgeable. And I just  
2       wanted to say thank you. I don't know what you all are  
3       doing. I'm encouraging you all to move forward with  
4       increasing the quality of life for D.C. residents.  
5       Thank you.

6           MS. KANE: Thank you, very much, Ms. Dowdy.  
7           Mary Cuthbert? Good to see you again, Ms.  
8       Cuthbert.

9           MS. CUTHBERT: Yes. I'm back. Good evening.  
10       I'm representing Mary Cuthbert.

11           I have a colleague, one of my Commissioners,  
12       representing ANC 8C. I'm Mary Cuthbert from Ward 8.  
13       I'm truly upset, a little disturbed about the rate  
14       increase with Pepco/Exelon.

15           We just merged a year and a half ago. They  
16       made the commitment that they would give the customers  
17       \$50. They did, in April.

18           But as I look at my bill now, today, I will  
19       not be able to afford to live in my house. My electric  
20       bill is too high. They came out, they read the meter,  
21       and they said it was right.

22           As we all know, Pepco's never wrong. Why --

1 my bill is \$100-plus a month, and I am home basically  
2 all -- well, let's say three fourth of a day on a  
3 Sunday, once I come home from church. And anyone who  
4 know me, I'm always out at a meeting, so I get home  
5 about nine o'clock, and I am still a working seasoned  
6 citizen, every day.

7 When you look at the utility bills for  
8 homeowners, especially the seasoned citizens, we're  
9 not going to be able to stay in place. When you add  
10 the electric, the gas, and the water, we're not going  
11 to be able to afford it. And Pepco's asking for an  
12 increase, without being here 2 years, involved 2  
13 years.

14 So they did a good solicitation to get all  
15 the businesses to come to support them. Well, what  
16 about us poor people? Working people, our seasoned  
17 citizens, as all of us going to get seasoned, the  
18 millennium don't want us to be around anyway, so we  
19 have to fight the millennium.

20 We have to fight Pepco. We have to fight the  
21 gas company. We have to fight everything. I want --  
22 I'm asking this Board, when you read over the case,

1 please, I don't know how many seniors were able to get  
2 out, would you consider the seasoned citizens because  
3 we are definitely on a fixed income.

4 Not a working income, a fixed income. And  
5 the rate they're charging us, is ridiculous. I got a  
6 bill for 32 days. When do we get 32 days in a month?  
7 Then another bill, you see 34 days.

8 I'm asking you all to look into that. How do  
9 you get 32 and 34 days? And it's my understanding we  
10 have 30, we have 29, 30, and 31. Somebody needs to  
11 look into that, and I'm asking the Public Service  
12 Commission or the People's Counsel. I thank you.

13 (Applause.)

14 MS. KANE: Thank you, Ms. Cuthbert. Thank  
15 you, very much.

16 David Jones?

17 MR. JONES: Good evening members of the  
18 Public Service Commission. Thank you for allowing me  
19 to testify today. My name is David Jones. I serve as  
20 the ANC Commissioner for 8C04 and today representing  
21 the entire AC -- ANC 8C.

22 I'm here today asking you to reject Pepco's



1 application to increase its distribution rates. AN 8C  
2 has been advised by the Office of the People's Counsel  
3 about the facts and background of the rate case, and  
4 the need for this Commission to reject a majority of  
5 Pepco's requests for an increase.

6           Whereas, reliable, economical, electric  
7 service is essential to the quality of life for the  
8 citizens of ANC 8C and to the City as a whole, a  
9 majority benefit to ratepayers in this case, is the  
10 customer-based rate credit approved by the Public  
11 Service Commission as part of the Pepco/Exelon merger.  
12 The residents of 8C urge this Commission to allocate  
13 the entire balance of the CBRC to residential  
14 consumers because the residential rate class, unlike  
15 the commercial rate classes, lacks the ability to pass  
16 on the rate increase and the value of goods and  
17 services.

18           This rate increase in essentially utility  
19 services, is a financial hardship on low income  
20 consumers and seniors on fixed incomes. In our  
21 opinion, residential consumers are being asked to  
22 shoulder a share of the increase that is too large

1 compared to the larger ratepayers. Pepco should not be  
2 allowed to recover costs for construction projects  
3 that are not providing benefits to consumers.

4 Therefore, ANC 8C hereby resolves to advise  
5 this Commission to grant Pepco no more of a rate  
6 increase as advised by the Office of the People's  
7 Counsel. Thank you.

8 MS. KANE: Thank you, very much. And Mr.  
9 Jones, that was a resolution passed by the Commission?

10 MR. JONES: Yes, it was.

11 MS. KANE: Okay. And if you would please  
12 supply a copy of the resolution for our record, thank  
13 you.

14 I believe our next group of speakers are  
15 [sic] going to be accompanied by a translator. Raymir  
16 Diaz? Will you be the translator? Yes, very good.

17 MR. DIAZ: Hello. Good afternoon. Good  
18 evening. I want to thank the Commission for allowing  
19 me the opportunity to speak today.

20 I'm Raymir Diaz. I'm an organizer with the  
21 Laborers' International Union, the Mid-Atlantic  
22 Region. And I wanted just to read the names of two

1 individuals, Freddy Sangonhu and Santos Miguel. They  
2 both work for -- I'll just read off his name in here.

3 We also work for the Pepco Reliability  
4 Contractor, Anchor. We support the statements by the  
5 other workers who just spoke up. For these reasons, we  
6 oppose the rate increase. And again, that was Santos  
7 S. Miguel and Freddy Sangonhu. So thank you very much.

8 MS. KANE: Okay. And then Oswaldo Cruz, will  
9 you be speaking for him, Mr. Cruz?

10 MR. DIAZ: I believe Mr. Cruz will be  
11 represented by a coworker.

12 MS. KANE: Oh very good. Okay. Thank you.

13 MR. DIAZ: No problem.

14 MS. KANE: Thank you, Mr. Diaz.

15 Oswaldo Cruz?

16 MR. CRUZ: Do you want us to read it just one  
17 time in English or do you want it in Spanish and then  
18 in English?

19 MS. KANE: Read it in both.

20 MR. CRUZ: In both?

21 MS. KANE: Yeah. Go ahead. Please. Yes, if  
22 you would read it in Spanish.

1 MR. CRUZ: Okay.

2 MS. KANE: Are you Mr. Cruz?

3 MR. CRUZ: Yes.

4 MS. KANE: Yes, Mr. Cruz.

5 MR. CRUZ: Yes.

6 MS. KANE: Yes, please proceed.

7 MR. CRUZ: (In Spanish.)

8 MR. OJITO: Okay. Dear Public Service  
9 Commission, thank you for holding this hearing. I  
10 oppose the rate increase. I work for a Pepco  
11 reliability contractor and I want you to be aware of  
12 my working conditions, as you look at Pepco's request.

13 Those of us who work for Pepco reliability  
14 contractors are the backbone of Pepco's efforts to  
15 improve its electric service. We are the ones you see  
16 in the streets. It is hard, hard work.

17 There are direct Pepco employees who perform  
18 similar work; however, there's a huge pay difference  
19 between what they earn and what we earn working for a  
20 Pepco reliability contractor. We earn a lot less. The  
21 direct employees also have great health and retirement  
22 benefits. We do not.

1           We need wage and benefit standards in place.  
2       This will make the contractors who win work from Pepco  
3       pay their employee's decent wages with decent benefits  
4       and this would really help workers like me. Sincerely  
5       Oswaldo Cruz, Ward 1.

6           MS. KANE: Thank you, very much, Mr. Cruz,  
7       Ward 1.

8           Ernest Ojito?

9           MR. OJITO: I'm his translator.

10          MS. KANE: That's you? All right, thank you,  
11       very good.

12          And then I also had Rolando Blanco. Can you  
13       translate Mr. Blanco?

14          MR. OJITO: In order to save time, I'm just  
15       going to read it out for him. Is that fine?

16          MS. KANE: Yes, that's fine.

17          MR. OJITO: Okay. I'm here to oppose Pepco's  
18       request --

19          MS. KANE: But if Mr. Blanco wants to speak  
20       for himself, please.

21          MR. OJITO: He prefers --

22          MS. KANE: No?

1 MR. OJITO: He prefers --

2 MS. KANE: He prefers you read it? Go ahead.  
3 Okay.

4 MR. OJITO: I am here today to oppose Pepco's  
5 request for a rate increase. I work for a Pepco  
6 reliability contractor and I work very, very hard to  
7 help improve Pepco's service to its customers. Pepco  
8 is always getting rate increases.

9 The company says it needs more money to fix  
10 the system and make it better. When Pepco gets a rate  
11 increase, it includes the cost of living (inaudible)  
12 giving its workers raises. I get that.

13 But what people like me, who work for one of  
14 the contractors, we make a lot less. We do not receive  
15 regular cost of living increases. We're like a second  
16 shadow of class workers.

17 Higher utility bills mean we have less money  
18 for food and other household expenses. The contractors  
19 pay us as little as possible, in order to win  
20 contracts from Pepco. This needs to change.

21 The Public Service Commission needs to do  
22 something about this now. You need to step in and tell

1     Pepco to fix this. What would help workers is for  
2     Pepco to set standards for pay and benefits so that  
3     those contractors must follow. Thank you, sincerely  
4     Rolando Blanco.

5             MS. KANE: Okay. Thank you, Mr. Blanco.

6             (Applause.)

7             MS. KANE: And William Ayala?

8             (No audible response.)

9             MS. KANE: Is Mr. Ayala here? Okay.

10            MR. AYALA: (In Spanish.)

11            MR. OJITO: He says he's going to speak in  
12     Spanish --

13            MS. KANE: Okay.

14            MR. OJITO: -- and I'm going to translate.

15            MS. KANE: Very good. And if you could speak  
16     up, and make sure the microphone is -- right there,  
17     you go. Thank you.

18            MR. AYALA: (In Spanish.)

19            MR. OJITO: My name is William Ayala, and I  
20     work for a Pepco reliability contractor, Anchor  
21     Construction. I work at Anchor, but I don't get paid  
22     sick days, even though I work in the District. I don't

1 get holidays. I don't get vacation.

2 It's hard to get an increase in pay. And we  
3 work very, very hard. We're the guys you see in the  
4 street working and we think that we need some help.  
5 And we need you guys to make sure that we -- to know  
6 that we oppose the rate increase. Thank you.

7 MS. KANE: Okay. Thank you.

8 (Applause.)

9 MS. KANE: Thank you, Mr. Ojito for  
10 translating.

11 MR. OJITO: Ma'am?

12 MS. KANE: Yes?

13 MR. OJITO: Can I just say one thing?

14 MS. KANE: Absolutely.

15 MR. OJITO: A lot of these workers here  
16 today, are very scared, especially with their Vice  
17 Presidents here, and people of their companies. And  
18 I'd just like to put it on the record that the fact  
19 that they're scared and that people are taking down  
20 names of the workers that are here in case there's a  
21 retaliation. Thank you.

22 MS. KANE: Thank you. Thank you, very much.



1 Is there anyone else who has asked to speak?

2 (No audible response.)

3 MS. KANE: Okay. We're going to check if  
4 anyone else? Thank you.

5 FEMALE VOICE: So it starts at Ingrid.

6 MS. KANE: Okay. Ingrid Reyes? Ingrid? Yep.

7 MS. REYES: Hello. Good evening. My name is  
8 Ingrid Reyes. I also work for a Pepco reliability  
9 contractor. I support the statements made by the other  
10 workers who spoke. For these reasons, I oppose the  
11 rate increase and I work for B. Frank Joy. Thank you.

12 MS. KANE: Thank you, Ms. Reyes.

13 (Applause.)

14 MS. KANE: Okay. Craig Carrington?

15 MR. CAVINGTON: Cavington.

16 MS. KANE: I'm sorry. Cavington, yes, sorry.

17 C-A-V-I-N-G-T-O-N, okay.

18 MR. CAVINGTON: My name is Craig Cavington. I  
19 also work for B. Frank Joy. I agree with what she  
20 said. I work for a reliability contractor.

21 I haven't had a raise in 6 years. I've been  
22 there 6 years, no raise. We have to work long hours to

1 make our money. If we don't work long hours, we can't  
2 survive in the District of Columbia.

3 When I heard one lady speak about how good  
4 her power was working, it's working because Pepco  
5 don't do -- they have underground infrastructure they  
6 get it from the contractors. We dig in the ground. We  
7 put that pipe in the ground so they can -- so Pepco  
8 can run their wire in there.

9 Pepco doesn't do it. The contractors does  
10 [sic] it. So I oppose the rate increase. Thank you.

11 MS. KANE: Thank you.

12 (Applause.)

13 MS. KANE: Charles Thomas?

14 MR. THOMAS: Good evening, Commissioners. I  
15 also -- my name is Charles Thomas -- I also work for a  
16 Pepco reliability contractor. And I also support the  
17 statements that has [sic] been made by other workers  
18 that have just spoke [sic] for the reasons I oppose  
19 the rate increase.

20 And one other reason is, is because we do  
21 flagging, and we have to make sure that, not only our  
22 contractors are safe in the street, but even Pepco

1 workers are safe in the street when they are working.  
2 And sure, they get -- I have nothing against them, but  
3 the thing is, is getting a pay increase. And our pay  
4 stay the same for 9 and 10 years, just doesn't make no  
5 sense.

6 And the kind of hours that he just said,  
7 that we have to put in, is sometimes 16 hours a day.  
8 We work 7 days a week. We're on call for 24/7. We're  
9 on call.

10 Pepco calls for the contractors, to send us  
11 out. We get out of our beds, maybe one or two o'clock  
12 in the morning, to go to work. So I really -- I oppose  
13 this rate increase.

14 And I really think that you should look into  
15 it because we are workers. We are human beings. And we  
16 need to survive as well as anyone else. Thank you.

17 MS. KANE: Mr. Thomas, you said you did  
18 flagging?

19 MR. THOMAS: Yes.

20 MS. KANE: Is that -- which --?

21 MALE VOICE: (Inaudible.)

22 MR. THOMAS: As --

1 MS. KANE: Yes.

2 MR. THOMAS: -- that's --

3 MALE VOICE: (Inaudible.)

4 MR. THOMAS: -- setting up traffic control.

5 MS. KANE: Right.

6 MR. THOMAS: Okay.

7 MR. KANE: I understand. I just hadn't heard  
8 what you said. Thank you, Mr. Thomas.

9 (Applause.)

10 MS. KANE: Soyun Park? Ms. Park?

11 MS. PARK: Good evening. My name is Soyun  
12 Park, and I'm here to represent owner operated small  
13 businesses and microbusinesses in the District. At  
14 this time, we oppose a rate increase.

15 We would prefer a rate freeze and fairness  
16 in utility rates. And we'd like more time to examine  
17 the proposal before any changes are made. The value of  
18 owner operator enterprises within the District is that  
19 they build community illustrative of the longtime and  
20 native residents of the City.

21 Small businesses with fewer than 50, and the  
22 vast majority with under 20 employees, are the

1     cornerstone of, and a pathway to, the middle class and  
2     to economic self-determination and ownership for many  
3     of the City's residents, who would not otherwise have  
4     access to economic opportunities. Owner operator  
5     enterprises are almost always locally owned, locally  
6     operated and hired locally as well, building the  
7     economic wealth and civic participation of D.C.'s  
8     diverse communities.

9             They are also found in economically  
10    challenged and politically under represented  
11    neighborhoods, where there are few or sometimes no  
12    other businesses serving the area. The contribution to  
13    transitioning business districts targets the long term  
14    success of newly established homeowners and those who  
15    have been homeowners or residents for generations.

16            Owner operators grow up or live in these  
17    communities, many times around the corner from their  
18    shops. They frequent the same businesses as their  
19    neighbors. Their children attend school with other  
20    children in the community and they are actively  
21    engaged in civic processes.

22            Owner operators are part of the foundation,

1 which build healthy blocks that make up a vibrant  
2 City. For these reasons, we ask that the District, the  
3 Public Service Commission, in its charge to represent  
4 all consumers of public utilities, and the utility  
5 company, itself, to prioritize the protection, the  
6 promotion, and the proliferation of locally owned,  
7 owner operator small businesses through fairness in  
8 rate classification, rate structure, usage to charges  
9 and tax credits, rebates and other programs available  
10 for this traditionally overlooked and historically  
11 under represented consumer community.

12 Three of the businesses that I work with,  
13 one is a bakery in Ward 1, in Columbia Heights, and  
14 she has been targeted by a third party supplier. And I  
15 think we've heard today, a lot of testimony from  
16 people who have been pleased with improvements in  
17 Pepco's service. It seems Pepco/Exelon has shifted a  
18 lot of their work to underpaid contractors and also to  
19 unregulated third party suppliers.

20 What we're finding, is while improvements  
21 may have been made with lower paid workers, which is  
22 unfair, third party suppliers are targeting small

1 business owners and it's been impossible to get out of  
2 those contracts. We have a case right now in front of  
3 the Office of People's Counsel, but one of the things  
4 that our small businesses would like, is to understand  
5 the accountability and the recourse that we have for  
6 third party suppliers. And what accountability is  
7 there to Pepco, who is awarding these contracts or  
8 engaging with some of these third party suppliers.

9 Another shop that I work with is a flower  
10 shop in Ward 3, in Glover Park. And he's very  
11 interested in the inventory of programs that support  
12 small businesses, what they are and how accessible  
13 they are to small businesses because he knows of none,  
14 and he's been in the flower business for more than 30  
15 years. So we'd also like time to have an inventory of  
16 all these programs, and understand how it supports  
17 small businesses and have a process to share whether  
18 or not there is actually ease of accessibility with  
19 those programs.

20 Another shop owner that I work with, is a  
21 drycleaner in Ward 6, and Mr. Kim has had two shops,  
22 both produce the same, I guess, usage. And both same

1 size shops did the same stuff, and there were  
2 dramatically different bills for the two stores. And  
3 so one of the other things that our small businesses  
4 are asking, is to understand not only the rate  
5 classification and the rate structure, that they're  
6 charged, but also how they're charged compared with  
7 other commercial consumers.

8 We are also concerned that this rate  
9 increase will exacerbate the unfair distribution that  
10 small businesses already bear, and so we oppose the  
11 rate increase. We would like a rate freeze until these  
12 things can be explained to the small business  
13 community. Thank you, very much.

14 (Applause.)

15 MS. KANE: Thank you, very much, Ms. Park.

16 Let me point out. We have here with us,  
17 Maurice Smith, who is head of the Office of Consumer  
18 Services for the Public Service Commission. I know you  
19 indicate you have a case before the People's Counsel,  
20 or with the People's Counsel, and that is their role  
21 also, but we do have an Office of Consumer Services  
22 here, which does outreach, and certainly both for the



1 particular concern about the third party suppliers or  
2 anything else.

3 I would ask that you maybe speak to Mr.  
4 Smith. We are able to come out to your meetings, to  
5 your organization and speak on many of these things.

6 Let me be clear to the public, that the  
7 third party retailers who are selling electricity,  
8 must be licensed by the Commission. They're not  
9 licensed by Pepco and they really have nothing to do  
10 with Pepco, except that they do billing. They can  
11 choose to do their billing through them.

12 But they are licensed by the Commission. We  
13 do have rules in place. We have standards in place. We  
14 have requirements in place, disclosures in place, et  
15 cetera.

16 And so we would -- I'm not saying we welcome  
17 complaints, but we are here. We are here to help  
18 people understand, including helping small businesses.  
19 So if you want to talk to Mr. Smith, we're happy to do  
20 that.

21 Okay. Sandra Seegers? Oh, I'm -- yeah, go  
22 ahead. Hello Ms. Seegers.

1 MS. SEEGER: How are you doing?

2 MS. KANE: (No audible response.)

3 MS. SEEGER: Hello everybody. I'm Sandra  
4 Seegers, former ANC Commission in Ward 8, 1107 Savannah  
5 Street, SE, Washington, D.C.

6 As a lifelong Pepco customer, I believe a  
7 rate increase of any amount is undue, unjust, and  
8 unfair. I believe the rate increase is not intended to  
9 improve services to its customers, but to increase  
10 salaries of the top staff, and increase shares for the  
11 shareholders. I believe the services rendered have not  
12 improved since the merger.

13 Any increase in small increments affects  
14 families and residential customers in a big way. This  
15 increase can be the difference in a senior paying for  
16 one or two prescriptions or being unable to pay for  
17 their electricity. This increase can be the difference  
18 in a family earning minimum wage, going without a  
19 breakfast or lunch.

20 For me, a customer on a fixed income, with a  
21 minimal cola (phonetic) means my entire cola will be  
22 spent on paying my electric bill. What happened to the

1     promise of no rate increase until 2019? Shame on the  
2     Public Service Commission for exposing my City to  
3     decades of higher rates and weakening its own ability  
4     to guide my City's energy future.

5             If the Public Service Commission approves  
6     any rate increase before 2019, a class action lawsuit  
7     be filed charging Pepco with price gouging,  
8     psychological stress and abuse, and bait and switch,  
9     and name the Public Service Commission as a co-  
10    conspirator.

11            I do believe that the millions of dollars  
12    that was expected to cushion the residential customers  
13    from rate increases until 2019, have indeed gone to  
14    credits for businesses or the federal government. I am  
15    asking this Commission to fulfill its mission and  
16    goals, that is set forth by its own constitution and  
17    serve the public interests.

18            I ask this Commission to see through clear  
19    glasses not rose-colored glasses, that Pepco  
20    residential customers are not getting all that it  
21    should at the current rate. I am asking this  
22    Commission to remember that Pepco is a monopoly.

1 Therefore, I ask this Commission to vigorously  
2 regulate this monopoly service to ensure that their  
3 rates are reasonable for its residential customers,  
4 which means no increase at this time.

5 For the sake of -- oh -- for the sake of the  
6 D.C. residential customers, I am sincerely asking this  
7 Commission to deny any increase of any amount at this  
8 time, and do not do so until 2019. This concludes my  
9 testimony.

10 (Applause.)

11 MS. KANE: Thank you, Ms. Seegers. Thank you.

12 John Tinpe? Is it T-I-N-P-E?

13 MR. TINPE: Good evening Madame Chair,  
14 Commissioners. Thank you for holding this hearing. My  
15 name is John Tinpe.

16 I'm the Chair of Advisory Neighborhood  
17 Commission 2C, which borders east of 395, west of 15th  
18 Street, south of Massachusetts Avenue, and north of  
19 Independence Avenue. So if you take Ward 2, and cut it  
20 right down in the middle, which is the White House,  
21 the eastern part of it, is ANC 2C. So I'm here to  
22 testify and read the resolution that was adopted by

1     ANC 2C.

2             So I'll just read it out: "Government of the  
3     District of Columbia, Advisory Neighborhood Commission  
4     2C Resolution Number 103.

5             Resolution of the Advisory Neighborhood  
6     Commission 2C, Washington, D.C., and ANC 2C, advising  
7     the Public Service Commission of the District of  
8     Columbia, Commission to reject the majority of Potomac  
9     Electric Power Company's Pepco's request to increase  
10    rates.

11            Whereas, ANC 2C voted on March 13, 2017, at  
12    the regularly scheduled, duly noticed meeting, with a  
13    quorum of three of three Commissioners and the public  
14    present;

15            Whereas, ANC 2C voted 3, 0, 0, to advise the  
16    Commission to adopt the recommendations of the Office  
17    of the People's Counsel, OPC, and reject the majority  
18    of Pepco's requests for the rates increase.

19            Whereas, the Commission will make a decision  
20    this year, on Formal Case No. 1139, Pepco's obligation  
21    to increase its distribution rates;

22            Whereas, ANC 2C demands that the Commission

1 reject the majority of Pepco's requests for the rate  
2 increase;

3           Whereas, reliable and economic electric  
4 service is essential to the quality of life for the  
5 citizens of the District, the government of the  
6 District of Columbia has adopted standards of  
7 reliability for electrical service, the Commission  
8 require Pepco to meet the standards of pay, financial  
9 penalties;

10           Whereas, a major benefit to ratepayers in  
11 the case is a customer based rates, credits, CBRC  
12 approved by the Commission as part of the Pepco/Exelon  
13 merger, ANC 2C demands that the Commission allocate  
14 the entire balance of the CBRC to residential  
15 customers because the residential rate class, unlike  
16 the commercial rate class, lacks the ability to pass  
17 on the rate increase and the value of goods and  
18 services;

19           Whereas, continued annual increase in  
20 essential utilities of financial hardship on low  
21 income consumers and seniors on fixed income;

22           Whereas, Pepco should not be allowed to

1 recover costs for construction projects that are not  
2 providing directly benefits to customers;

3           Whereas, Pepco's request for rates increase  
4 should be denied in the light of the fact that company  
5 executives and shareholders received large payments  
6 from the merger;

7           Whereas, Pepco's request should be denied on  
8 the grounds that it is inconsistent with economic  
9 factors;

10           Whereas, the Commission must ensure that  
11 Pepco's is in strict compliance with all the  
12 commitments of the merger and measures will be taken  
13 if a company is not in compliance, adopted the 14th  
14 day of March 2017."

15           Thank you very much.

16           MS. KANE: Thank you, Mr. Tinpe.

17           MR. TINPE: And I'll leave this.

18           MS. KANE: And if you would turn a written  
19 copy of that in, we'll have it for the record.

20           LaMonica Jeffrey?

21           MS. JEFFREY: Good evening. My name is  
22 LaMonica Jeffrey, and I'm here, of course, for myself,

1 and on behalf of my community as an advocate, and I'm  
2 also an ANC Commissioner, single member of District  
3 5C06.

4 Everyone here just about --

5 MS. KANE: You went so fast 5C0?

6 MS. JEFFREY: 06.

7 MS. KANE: 06 thank you.

8 MS. JEFFREY: Right. Just about stated why  
9 they oppose the rate increase that Pepco is asking  
10 for. I also, and members of my community oppose the  
11 rate increase that Pepco is asking for, and to add  
12 what everyone else has said onto what everyone else  
13 has said, that community members where I live already  
14 have to apply for benefits every year to assist them  
15 in help with their utility bills as it is.

16 So I think the rate increase is unfair and  
17 unjust. Thank you.

18 (Applause.)

19 MS. KANE: Thank you, very much, Ms. Jeffrey.

20 That concludes the list of people who have  
21 asked to speak. Is there anyone else who wishes to  
22 speak?



1 (No audible response.)

2 CONCLUSION:

3 MS. KANE: Commissioners? Okay. Well, I would  
4 thank my fellow Commissioners. Thank you, all for  
5 coming this evening.

6 We'll remind the public that is listening  
7 and watching that the record is open until close of  
8 business on April 26. So anyone who wants to send in  
9 at this point, written comments, either by mail or by  
10 email, to the Office of the Secretary of the  
11 Commission, still has an opportunity to have their  
12 views on the record before the Commission makes a  
13 decision in this case. Thank you, very much. This  
14 hearing is adjourned.

15 (Hearing adjourned at 7:29 p.m.)

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## 1 CERTIFICATE OF NOTARY PUBLIC

2 I, Erick McNair, the officer before whom the  
3 foregoing proceeding was taken, do hereby certify that  
4 the proceedings were recorded by me and thereafter  
5 reduced to typewriting under my direction; that said  
6 proceedings are a true and accurate record to the best  
7 of my knowledge, skills, and ability; that I am  
8 neither counsel for, related to, nor employed by any  
9 of the parties to the action in which this was taken;  
10 and, further, that I am not a relative or employee of  
11 any counsel or attorney employed by the parties  
12 hereto, nor financially or otherwise interested in the  
13 outcome of this action.

14  
15  
16 

17 Erick McNair

18 Notary Public in and for the  
19 District of Columbia  
20  
21  
22

## CERTIFICATE OF TRANSCRIBER

I, Eve Jemison, do hereby certify that this transcript was prepared from audio to the best of my ability.

I am neither counsel for, related to, nor employed by any of the parties to this action, nor financially or otherwise interested in the outcome of this action.

A handwritten signature in cursive script that reads "Eve Jemison".

April 17, 2017

Eve Jemison, CET-744

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