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## **OPC to Review PSC Decision Upholding Pepco/Exelon Merger & Determine Whether to Seek a Court Appeal**

Washington, D.C. – People's Counsel Sandra Mattavous-Frye today commented on the D.C. Public Service Commission's (PSC/Commission) ruling on reconsideration of its March 23, 2016 approval of the Pepco/Exelon merger.

“After careful review of today's decision, OPC will decide whether to challenge the PSC order at the D.C. Court of Appeals. Specifically, OPC will focus on whether the Commission adhered to its rules, whether the decision was legally sound and whether the process was fundamentally fair,” Mattavous-Frye said. “I have been unfaltering in my commitment to ensure that District consumers receive maximum benefits from the merger, and from the beginning of the case to this day, have questioned whether it promotes the public interest in all respects.”

OPC filed an application for reconsideration on April 22, 2016 and asserted that the manner in which the PSC reached its decision was legally flawed. Mattavous-Frye requested the Commission to either reopen the record and permit all parties an opportunity to comment on its decision as is required by the PSC's rules, or alternatively reject the Pepco/Exelon unilateral request for the adoption of new merger terms as being procedurally improper.

“The Commission's actions in this case have implications that extend far beyond this merger. What's at stake here are two fundamental factors: the public's confidence that the Commission will decide cases in a fair manner and the belief of participating parties that the consumer benefits that they bargained for will be honored in any settlement negotiation. Both of these factors must be solidly in place as we move forward in making important decisions in a rapidly evolving energy market,” Mattavous-Frye said.

OPC has 60 days to file a notice of intent to move the case to the D.C. Court of Appeals.