



**July 2022**

## **A Note from Your People's Counsel Sandra Mattavous-Frye**

### **Why You Should Care About the Supreme Court's Climate Step Backwards**

The Supreme Court recently issued a decision that severely limits the U.S. Environmental Protection Agency's ability to address greenhouse gas emissions (GHG)—climate change pollution—from power plants. In *West Virginia v. EPA*, the Supreme Court ruled that the Clean Air Act does not give the EPA authority to regulate GHG emissions from power plants by requiring states to shift energy generation from coal fired power plants to cleaner forms of energy like natural gas or renewables.



The Court struck down a 2015 regulation requiring states to reduce GHG from electric-generating power plants like those fired up by coal or oil. That regulation had never gone into effect before being repealed by President

Trump, and in the ensuing years, the goals of the regulation had already been met by other means. Nonetheless, the Biden Administration was working on a new plan to address climate change pollution from power plants.

District residents literally feel what scientists have confirmed: climate change is here, resulting in hotter summers, more frequent extreme storms, and more severe flooding. And the science is clear: we must significantly reduce GHG emissions to avoid even more extreme weather. Moreover, societal inequity and racism place the worst burdens of climate change on low-income and communities of color. EPA still has authority to regulate tailpipe emissions from cars and trucks. Reducing pollution from power plants is a key weapon in fighting overall climate change pollution. However, this Supreme Court decision has choked this critical tool.

State and local efforts are now even more important. The District already has ambitious climate change goals in place, and fortunately, is currently on track to meet them. OPC has long supported the city's goals of reducing carbon emissions 50% by 2032 and 100% by 2050 in a just, affordable, and sustainable manner. In light of the Supreme Court's attack on a sensible climate change solution, OPC will continue to help advance clean energy by educating consumers about what they can do to keep the District moving forward. Our goal is to ensure that residents in all eight wards of the city are fully informed and can participate in shaping DC's climate change policies.

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## **OPC Gets 1st Step Win for Solar Consumers**

On March 23, OPC and the DC Office of the Attorney General filed a complaint with the Public Service Commission (PSC) charging that Pepco systematically violated District law by mishandling the Community Renewable Energy Facility (CREF) process and not properly crediting CREF owners and subscribers for generating solar power.

On June 30, the PSC granted the OPC and OAG's request to open an investigation into Pepco's CREF practices. CREFs provide Pepco customers the opportunity to share in solar-generated electricity by purchasing shares in an offsite facility. This arrangement allows customers to participate in the solar market when they cannot install solar panels on their own home. Through the District Department of Energy and Environment, the CREF market is especially important for low-income consumers who may otherwise not be able to reduce their electric bills through a solar project.

In its ruling, the PSC found that Pepco did not deny the underlying facts, but instead argues that its actions do not violate District law or Commission regulations. The PSC further found that Pepco's "process is less than clear about whether CREF accounts have been properly credited as Pepco claims," and expressed a need for an audit into the accounting practices related to CREF accounts. The parties were given until July 20 to file additional legal briefs.

OPC is encouraged that the PSC acknowledges the need for a more transparent process, and will continue to advocate for rules that promote the

## The Water Connection

### Making Water Affordability A Reality for DC Residents



In June, OPC staff attended the National Energy & Utility Affordability Coalition (NEUAC) conference in New Orleans, LA. OPC contracted APPRISE, a public policy research firm, to conduct a Water Affordability Study in the District prior to the COVID-19 pandemic. The findings were discussed during the NEUAC conference.

The study found many shortcomings in DC residents' ability to access financial assistance prior to the pandemic, including lack of assistance for water consumers in multifamily properties. Typically, these consumers pay their water bill to a third-party biller.

The good news is that the District has made more bill payment assistance available to the largest group of residents. DC Water's Multifamily Assistance Program (MAP) provides up to \$2,000 for residents in multifamily properties. Prior to this program, multifamily property residents had virtually no options to help them pay water bills.

MAP provides aid to the thousands of water consumers who previously were ineligible for any assistance. OPC is examining how meaningful and effective the MAP program is for consumers living in buildings with multiple units.

To learn more about available customer assistance, see DC Water [programs](#). You also can contact OPC's Water Services Division at (202) 727-3071 or [waterinfo@opc-dc.gov](mailto:waterinfo@opc-dc.gov).



"I'm honored to have had the opportunity to lead and grow the DCSEU over the last ten years. We have built an incredible team there that I know will continue to ensure the District's clean energy future is more affordable and more accessible for the people that live and work here."

Ted Trabue



## An OPC Partner at DCSEU is Moving On

As a member of the DC Sustainable Energy Utility Board, People's Counsel Sandra Mattavous-Frye connects with DCSEU Managing Director Ted Trabue as our agencies are partners in bringing energy-saving resources to DC

residents and businesses. After 10 years at the helm of DCSEU, Trabue will step down at the end of July.

OPC appreciates his work on behalf of consumers and wishes him well along his next journey. In case you missed it, check out the People's Counsel's interview with Trabue in a segment of the OPC Radio Connect Podcast [here](#).

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## **DC Green Bank Brings Energy Efficiency Funding to DC Residents**



The summer heat has thousands of residents focused on the bottom line of their energy bill, however many are beginning to realize that to break the cycle of high bills they must move forward with energy efficiency improvements on their property. That is where the DC Green Bank, with a mission to provide access to funding to help grow the Districts clean economy, comes in.

During a recent briefing with OPC, DC Green Bank representatives stressed their role in creating a more equitable, resilient, and sustainable city by offering new financing options through partnerships that will share the benefits of low-interest financing to all residents. While the DC Green Bank does not offer direct loans to consumers, it partners with groups who act as funding administrators.

One option is the "[Clean Energy Advantage](#)" loan program that can provide loans at rates as low as 2.75% for home energy improvements such as window replacement, storm doors, attic and exterior insulation, solar sky-lighting, central AC, major appliances and more. The program also taps certified contractors to perform necessary installation work.

Through Clean Energy Advantage, borrowers can apply for loans as low as \$3,000 or as much as \$50,000. Find the [application here](#).

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## **OPC Connecting at the PSC**



**PUBLIC SERVICE  
COMMISSION**

**OPC is Advocating for Consumers in the**

# Following Cases:

## **Formal Case No. 1169: Application of Washington Gas Light Company for Authority to Increase Existing Rates and Charges for Service**

On June 22, OPC filed a Statement of Issues and Proposed Procedural Schedule in the WGL rate increase case. OPC also filed a Motion for Partial Summary Judgment and Related Relief.

On July 1, OPC filed a Letter of Support for AOBA's (Apartment and Office Building Association of Metro Washington) Motion to require WGL to Supplement Certain Aspects of their Testimony and Exhibits.

On July 11, OPC filed a Reply to WGL's Response to OPC's Motion for Partial Summary Judgment and Related Relief.

## **Formal Case No. 1130: Investigation into Modernizing the Energy Delivery System for Increased Sustainability (MEDSIS)**

### **Formal Case No. 1155: Pepco's Application for Approval of its Transportation Electrification Program**

On June 23, OPC filed Comments on Proposed Modification to Pepco's Transportation Electrification Offerings.

On July 15, OPC filed a Response to Pepco's Application for Modification of Order No. 21162.

## **Formal Case No. 1167: Implementation of Electric and Natural Gas Climate Change Proposals**

On July 1, OPC filed Comments on WGL and AltaGas Combined Filings.

On July 18, OPC, the DC Government, and other parties filed a Joint Motion for Abeyance and Request for Expedited Ruling.

## **Formal Case No. 1119: Joint Application Of Exelon Corporation, Pepco Holdings, Inc., Potomac Electric Power Company, Exelon Energy Delivery Company, LLC And New Special Purpose Entity, LLC For Authorization And Approval Of Proposed Merger Transaction**

On July 13, OPC filed Initial Comments on Pepco's 2022 Annual Consolidated Report.

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## **OPC In Your Neighborhood!**

OPC looks forward to seeing you in-person. We welcome the opportunity to speak at your Advisory Neighborhood Commission, civic association or community group meeting onsite or virtually. We can give updates on utility issues, trends, and outline how we serve. Call (202) 727-3071 if your group would like our staff to make a presentation onsite or "Zoom in." Contact the organizations listed below if you would like links to attend the meetings we'll be visiting virtually.

Federal City Alumnae Chapter, Delta Sigma Theta Sorority, Inc.  
15th Annual Community Day  
Saturday, July 30  
11 am - 3 pm  
Ballou Senior High School  
3401 4th Street SE

Ward 6 National Night Out  
Tuesday, August 2  
1:00 pm - 6:00 pm  
203 N Street SW

Central American Resource Center-CARECEN  
Spanish Workshop on Home Maintenance  
Presentacion de la charla de Mantenimiento  
Saturday, August 6  
9:00 am - 12:00 pm  
Zoom Meeting

ANC 7D  
Tuesday, August 9  
6:30 pm -7:30 pm  
Zoom Meeting

ANC 7C  
Thursday, August 11  
7:00 pm -8:00 pm  
Zoom Meeting

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**Photo Gallery**



OPC Consumer Outreach Specialist Jason Starks shares tips on saving energy and money on utility bills with participants at Mayor Muriel Bowser's 11<sup>th</sup> Annual Senior Symposium at Ballou High School.

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Connecting at the conference of the National Energy and Utility Affordability Coalition are from left: Valca Valentine of OPC's Water Services Division, Alexandra Balbuena Alleyne and Michael Bell of Washington Gas, and Jean Gross-Bethel of OPC's Consumer Services Division. NEUAC links state consumer advocates, utility professionals, social service agencies, and other stakeholders to share best practices and information on resources for low-income consumers.

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OPC Senior Economist/Climate Change Professional Dr. Yohannes K.G. Mariam attends the Electrification 2022 International Conference & Exposition. OPC has examined electrification as a potential way to combat climate change in underserved DC areas. Click [here](#) to see our report.

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### **Connect With OPC!**

Do you have feedback or an idea for an article that could be featured in an upcoming edition of the OPC Connection? We want to hear from you! Just drop our editorial team an email @ [info@opc-dc.gov](mailto:info@opc-dc.gov) or tweet us [@DCOPC](https://twitter.com/DCOPC).

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