



Office of the People's Counsel
ADVOCACY | EDUCATION | PROTECTION



July 2023

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



It's (Going to Be) Electric!

In the clean energy economy of the future most cars, trucks and buses will need to be powered by batteries that get recharged by electric vehicle (EV) chargers. OPC has been advocating before the Public Service Commission and DC Council to ensure that the charging network is developed equitably, reliably, affordably, and considers the needs of the many DC residents that do not own a vehicle of any kind. In recent [testimony](#) before the DC Council Committee on Transportation and the Environment, OPC provided input on a bill to expand the EV charging network in the District.

The Comprehensive Electric Vehicle Infrastructure Access, Readiness, and Sustainability Amendment Act of 2023 (B25-0106)

aims to promote EV adoption by requiring the District Department of Transportation to install 35 new EV charging stations, establish an Electric Vehicle Charging Station Grant Program, and develop an Electric Vehicle Infrastructure Deployment and Management Plan to deploy 7,500 chargers in the District by 2027.

Charles Allen, Ward 6 Councilmember and Committee Chairman, introduced the bill. OPC commends his efforts to utilize federal funds in expanding the District's EV charging network and supports the move to maximize these funds to accelerate the clean energy transition. To protect electric ratepayers, OPC strongly recommends specifying federal funding to pay for these programs. Additionally, considering that EV ownership is higher among affluent residents, OPC suggests alternatives to free EV charging stations to avoid having lower-income residents subsidize the charging. To encourage commercial investment in EV charging infrastructure, OPC recommends allowing commercial providers to participate in charger ownership and maintenance, spreading the risk of these investments and ensuring ongoing upkeep without passing costs on to ratepayers.

While 7,500 chargers may not be the right goal, OPC supports a network that is right-sized to anticipate and serve the growing demand for these chargers.

OPC's Advocacy in Long-standing Benning Road Plant Battle Ends in \$2M Win for Pepco Consumers



As a direct result of relentless advocacy by the Office of the People's Counsel, related to the old Pepco Benning Road Power Plant, Pepco customers will receive a refund of nearly \$2 million.

In 1999, Pepco sought Public Service Commission (PSC) approval to sell its electricity generating stations at the Benning Road Power Plant in Northeast. Eventually, a settlement

agreement granted Pepco the right to sell the plant. However, an essential provision of the agreement explicitly stated that Pepco was prohibited from recovering plant-related costs from its ratepayers.

Eleven years later, the US Environmental Protection Agency discovered contaminants near the facility and traced them back to Pepco's cooling towers. Consequently, the District Department of Energy and Environment sued Pepco to hold the utility responsible for the cleanup of the contaminated site. To address the contamination issue, a settlement agreement was negotiated requiring Pepco to conduct a remedial investigation and feasibility study to determine the most suitable cleanup plan.

In a 2019 rate increase case (Formal Case No. 1156), Pepco filed a request to recover the cost of the investigation and study from ratepayers. OPC opposed this request, arguing that the 1999 agreement barred Pepco from holding consumers responsible for any costs related to the plant's cleanup.

Despite OPC's compelling arguments, the Commission ruled in Pepco's favor. OPC subsequently requested the Commission reconsider its decision, but the Commission denied reconsideration. OPC then appealed the case to the DC Court of Appeals. In November 2022, the court sided with OPC and sent the case back to the PSC for further review.

On Thursday, July 27, OPC got a key victory for Pepco consumers when the Commission [rescinded](#) its decision and stated that Pepco was not entitled to recover from ratepayers any costs related to the cleanup of the Benning Road facility based on the 1999 settlement agreement.

This outcome reinforces the significance of adhering to settlement agreements, holding utilities accountable for their obligations, and the crucial role OPC always stands ready to play to protect DC consumers in the face of complex legal battles.



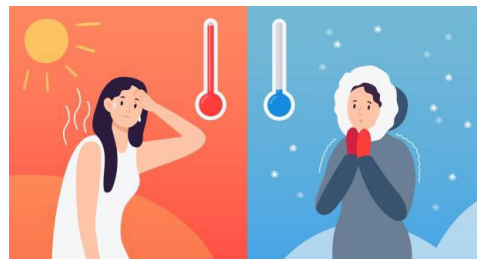
**Protect Yourself from
Dangerous Summer
Heat**

Many District residents are aware that our climate is changing, and this presents new health related challenges year-round. On the [4th of July](#) the earth experienced the hottest day on record across the planet. While steps are being taken to slow and even reverse climate change, weather scientists are predicting that we will continue to experience extreme weather events like prolonged, intense heatwaves that have occurred across North America and worldwide in the past month. While we have not experienced triple digit temperatures as often as some western states, it is important to understand that due to high summer humidity common in our region, temperatures that approach 90 degrees can pose a serious health risk. This is true for children, particularly those under the age of 2 years, adults on various medications, and seniors. Even healthy people can be quickly overcome by the effects of heat if they are not careful. High humidity makes it much harder for the body to cool itself, even if a person perspires heavily, because moisture in the air slows evaporative cooling from the skin. OPC recommends that everyone take the threat of heat related illness seriously, learn the signs, and make a plan to respond to unexpected events such as power outages or air conditioning failure.

The DC Department of Health [lists the most vulnerable groups](#) and symptoms to watch for on its website. A copy of the Mayor's citywide Emergency Heat Plan is available [here](#).

The CDC offers a comprehensive [guide](#) to heat illnesses; and the National Weather Service has a [one-page guide](#) to help you understand the language of hot weather advisories and the impact on the human body, all to help keep your family safe.

Heads Up: Hands Off Utilities When It's This Hot!



OPC reminds consumers that DC law prohibits utilities from disconnecting your service during extreme weather.

Here are the regulations governing Pepco and Washington Gas:

- If daytime temperatures are 95 degrees Fahrenheit or above, or are 32 degrees or below, on the day preceding and the day of extreme weather forecasts, disconnections must be delayed. That temperature can be either an actual reading or the heat index or wind child temperature.

- Disconnections cannot take place after 5:00 PM Thursday and not before Monday 8:00 AM, on a legal holiday, or on a day that a utility is closed to the public.

If your services have been disconnected or are at risk of being cut off, contact OPC at (202) 727-3071 for assistance.



The Water Connection

DC is All About Water Fun in the Summertime

The city's summer calendar is filled with educational, recreational, and fun on the water activities.

Choose your pleasure: riverside clean-ups, boat rides, swimming, fishing or just relaxing near the water. Following are a few suggestions OPC's Water Services Division has highlighted to keep your summer filled with waterside happenings:

Join the [Anacostia Watershed Society](#) to protect one of DC's primary waterways. AWS' calendar is filled with activities that include clean-ups to boat tours to promote and protect a clean and safe Anacostia River for the benefit of all living in its watershed and for future generations.

Navy Yard partners and residents boast the [Capitol Riverfront](#) as a haven for sports fans, nature lovers and folks who like to eat. A variety of activities feature water sports such as renting boats, kayaks, canoes and paddle boards.

Consider the [Ballpark Boathouse](#) for water rentals, lessons, race training, and tours. You might even enjoy taking a twilight tour.

Fishing enthusiasts can visit [Diamond Teague Park](#) on Friday evenings for FREE catch and release fishing. All equipment is provided, including lessons, making this a fun and affordable family event.

Enjoy free live music at Yards Park. In its 8th season, the [Capitol Riverfront Friday Night Concert Series](#) provides a grassy open space to sit and enjoy river views and live music with family and friends.



OPC Employee of the Month: Dionne Calhoun = Summit Success

OPC is pleased to announce Dionne Calhoun, Executive Assistant to the People's Counsel, is our first Employee of the Month, under a program overseen by the Human Resources Division. Candidates are nominated by fellow staff members.

Dionne's "I will make it happen" attitude was ever-present as she served as the Project Director for "Our Planet, Our Future," OPC's successful Youth Climate Summit on April 29 at Catholic University.

OPC hosted its first Youth Climate Summit to help young people find their role in the climate change crisis. Dionne executed the People's Counsel's vision, motivated staff to participate, and displayed true leadership qualities.

Congratulations, Dionne for stepping up to the plate to rally OPC to hit a home run with the summit!

ICYMI, Have No Fear, the Climate Summit Videos are Here!

Did you attend Our Planet, Our Future? In case you missed it, videos of the sessions can be viewed on the Climate page on opc-dc.gov and on OPC's [YouTube Channel](#). Check out eye-opening, informative conversations on climate careers, the green economy, environmental justice, and climate activism. The presentations should inspire all ages to take action to address climate change in their communities.



OPC Working for You in Working Groups at the PSC



Continuing with our series, *Working Groups at the Public Service Commission*, this month we feature the Energy Efficient and Demand Response (EEDR) Metrics Working Group. This Working Group started in November 2019 with recommendations presented in January 30, 2020. One of the recommendations was for an EEDR Potential Study to guide future EEDR programs, designs, implementation, and energy saving goals.

The PSC directed Pepco and Washington Gas to be a part of this study. In addition, the Commission wanted to make sure utility programs do not impact businesses and nonprofits providing energy efficiency and demand response programs. Pepco filed its Potential Study in May and now is seeking comments on that study.

OPC Connecting at the PSC



PUBLIC SERVICE COMMISSION

OPC is Advocating for Consumers in the Following Cases:

Formal Case No. 1176: Pepco's Application for Authority to Implement a Multiyear Rate Plan

On June 23, OPC filed comments to Pepco's proposed procedural schedule. OPC requested modifications to ensure all parties have ample time to comprehensively review all aspects of this case, as well as meet all filing deadlines.

On July 14, OPC filed a Motion to Compel Discovery to Pepco.

OPC In Your Neighborhood!

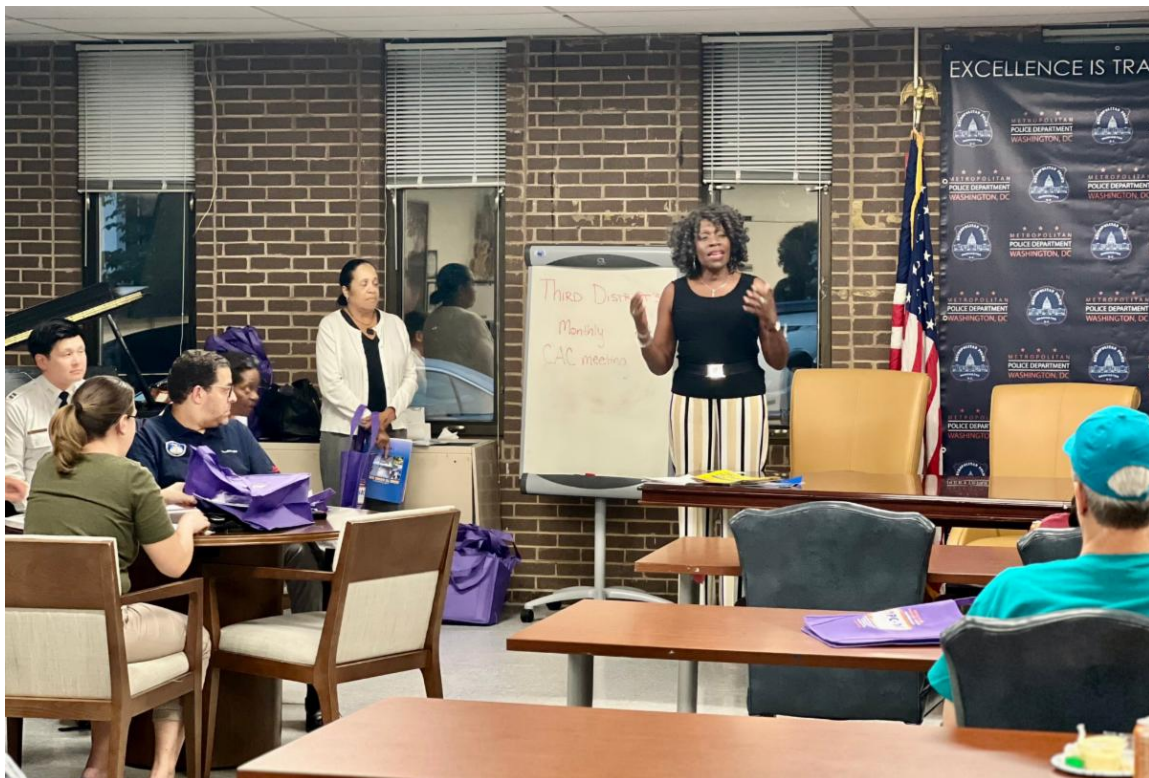
OPC looks forward to seeing you in-person. We welcome the opportunity to speak at your Advisory Neighborhood Commission, civic association or community group meeting onsite or virtually. We can give updates on utility issues, trends, and outline how we serve. Call (202) 727-3071 if your group would like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

Public Service Commission Energy Pop-Up
Wednesday, August 16
3:00 pm - 6:00 pm
Lamond-Riggs/ Lillian J. Huff Library
5401 South Dakota Ave NE

Photo Gallery



Under the guidance of OPC Consumer Outreach Specialist Silvia Garrick and Associate Director Stephen Dudek (standing), our Interns, Tanisha Tuckson, Chloe Bryant, and Malik Salter from the Marion Barry Summer Youth Employment Program, get hands-on experience at the Department on Disability Services Provider Fair at the Walter E. Washington Convention Center.



Jean Gross-Bethel discusses “Advocacy & Protection” at a meeting hosted by the 3rd District Metropolitan Police Department Citizens Advisory Council.



OPC's George Gilbert, Jr. at the 16th Annual Community Day hosted by the Federal City Alumnae Chapter of Delta Sigma Theta Sorority, Inc. at the Southeast Tennis and Learning Center.



Cheryl Morse and Valca Valentine at a community conversation on environmental health & justice hosted by DC Attorney General Brian Schwalb and At-Large Councilmember Christina Henderson in Ward 5.

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 or tweet us [@DCOPC](https://twitter.com/DCOPC).

OPC Connection Editorial Team:

Doxie McCoy, Phillip Harmon, Quaneisha Glover, Chawndise Battle, Dwayne Houston, Thaddeus Johnson, Valca Valentine

Contributors:

Sandra Mattavous-Frye, Karen Sistrunk, Laurence Daniels,
Stephen Dudek, Adam Carlesco, George Gilbert, Jr.,
Jean Gross-Bethel, Cheryl Morse, Sarah Kogel-Smucker

The Office of the People's Counsel, 655 15th Street NW, Suite 200
Washington, DC 20005 | Tel: (202) 727-3071 | Fax: (202) 727-1014 |
TTY-TTD: (202) 727-2876
www.opc-dc.gov | info@opc-dc.gov

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Office of the People's Counsel | 655 15th Street NW, Suite 200, Washington, DC 20005

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