

Testimony of People's Counsel Sandra Mattavous-Frye
Before the
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Good morning, Chairman McDuffie, and members of the committee. I am Sandra Mattavous-Frye, People's Counsel for the District of Columbia. I am honored that Mayor Muriel Bowser has submitted my name for the Council's consideration to serve as People's Counsel for another term. I am committed to ensuring that my stewardship of the agency remains at the highest possible level.

INTRODUCTION

The District's utility industry evolution has accelerated rapidly. The need to confront the new 21st-century realities is more critical today than it was 48 years ago when Congress determined that DC utility consumers needed an independent public advocate to represent and protect consumers and to help shape the utility world of the future.

We are confronting the emergence of new players, new utility business models, technological advances, and the expansion of large multi-jurisdictional utilities such as Exelon and AltaGas.

These new world developments must not steer us off-course as we strive to achieve the District's goals for climate change solutions and environmental justice. The fundamental entitlements to safe, reliable, and affordable utility service are absolute. A central aspect of my leadership has been proposing innovative and creative resolutions to modern utility challenges and achieving tangible and measurable victories for consumers.

OPC's accomplishments reflect a consistent and exemplary pattern of wins for consumers. I would like to highlight some of the most notable victories under my leadership.

Rate Case Savings.

An important (or key) part of OPC's mission is to protect consumers from unreasonable utility rates. During my tenure, DC consumers saved \$324 million due to OPC's trial advocacy in rate cases before the Public Service Commission. Empirical data demonstrates that utility bill savings lessen the financial energy burdens facing consumers, particularly low and medium-income consumers, many of whom have not recovered financially from the pandemic. Data also show that the energy burden disparity between low-income consumers and higher-income consumers is widening.

Pandemic Moratorium.

In advance of the COVID-19 pandemic government shutdown, I wrote to the utilities requesting they refrain from disconnecting consumers who had fallen behind in their bills. OPC also helped draft legislation on COVID-19 emergency relief bills. OPC's proactive work was instrumental in helping the District become one of the first jurisdictions in the nation to impose utility moratoriums during the pandemic.

Interconnection Petition CREF.

Community Renewable Energy Facilities, "CREF or Community Solar," allows consumers, including low- and moderate-income consumers to benefit from renewable energy options. When we received complaints that Pepco was not following the rules, we petitioned the PSC to formally investigate Pepco's CREF practices. Specifically, our petition addressed consumer complaints about Pepco's issuance of inaccurate community solar bill credits and its compliance with rules for the use of its meters. OPC's CREF Petition resulted in a tangible victory for consumers and advanced the District's climate change goals related to RPS solar targets, including a soon-to-be determined reimbursement to CREF customers.

Washington Gas Light Accelerated Pipeline Replacement.

Critical components of WGL's infrastructure are aging and must be replaced at a projected replacement cost of over a billion dollars. OPC continues to monitor WGL's performance to ensure that the company is delivering tangible benefits at affordable costs to consumers. In June 2023, OPC requested the Commission pause Project Pipes to ensure WGL is using the most effective methods to identify and repair leaks and to ensure the project fits within the Commission's overall plan for decarbonization. OPC Water Division.

OPC's history of consumer empowerment and consumer service led the Council to expand OPC's authority to represent the interests of DC Water consumers in 2018. To date, our water division has addressed 3,025 water service consumer complaints. We also successfully negotiated changes to the rules governing consumers' rights to dispute billing irregularities, including increasing the time to file a complaint from 10 days to 20 days. We recently filed an appeal before the DC Court of Appeals challenging DC Water's attempt to constrict OPC's ability to adequately represent water consumers consistent with the Council's legislative intent when it enacted the new law.

Climate Action Section.

In 2019, I established OPC's Climate Action Section. This section helps facilitate our ability to effectively advocate for equitable, consumer-centric climate action policies, and submit testimony and policy recommendations on vital climate legislation. The new section is staffed by a climate attorney who is assisted by our senior economist, a certified climate specialist. It also works with our existing Energy Efficiency, Environment, and Sustainability Section established in 2011.

I passionately believe that outreach, education and communication with consumers must be two-way. We report, and we listen. For example, the Climate Section organized two historic Climate Conversation Summit events. Our Youth Seminar, the second in the series, was the first major event of its kind launched in the District geared to the next generation (Gen-Z) of climate change leaders.

DCCA Benning Road Victory.

OPC recently won an appeal of the PSC's approval of Pepco's attempt to recover revenue associated with its Benning Road power plant clean-up costs. OPC believed these costs should not be charged to ratepayers. Our advocacy saved consumers \$1.9 million for remediation of the hazardous waste left at the plant.

My Vision for the New Era.

Today, we face climate change realities and other developments in the utility regulatory process. Therefore, under my leadership, OPC will aggressively defend consumer rights develop new strategies, ensure equitable treatment, and build new alliances. Specifically, OPC will:

Engage DC youth in climate change conversations and facilitate their input in shaping the coming epic changes they will encounter. Engage DC youth in climate change conversations and facilitate their input in shaping the coming epic changes they will encounter.

Confront the challenge of a rise in competitive markets including the emergence of Third-Party Suppliers.

Champion and support the District's environmental and sustainable energy policies and ambitious clean air goals.

Continue to urge the PSC to direct the utilities to develop a clear decarbonization pathway that coordinates the paths of both the electric and natural gas utilities to maximize carbon reduction and to equitably balance consumer interests.

Ensure equity in the electrification of the transportation sector by promoting the electrification of mass transit before personal vehicles so that low-income residents will benefit directly from transportation electrification and energy efficiency programs designed for renters in master-metered buildings.

Develop effective rate designs that ease the burden placed on those consumers who remain on regulated service.

Continue to make policy recommendations on vital climate policy legislation.
The legacy of the past will provide a gateway to the future and a new prism to guide us through the uncertainty that lies ahead.

For the record, I have included attachments to my testimony that provide greater detail on our accomplishments and more than a dozen letters of support from consumers.

I thank you for the opportunity you have previously given me to serve and to appear before you today. I am available to answer any questions you may have.