

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF THE ATTORNEY GENERAL
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FOR IMMEDIATE RELEASE: Friday, April 22, 2016



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Attorney General Racine Requests Public Service Commission Reconsider Its Pepco-Exelon Merger Decision

*Attorney General Contends PSC Failed to Follow Its Own Procedures and Denied District
Residents Benefits of Negotiated Deal*

WASHINGTON, D. C. – The Office of the Attorney General (OAG) today filed an application for reconsideration asking the District’s Public Service Commission (PSC) to vacate its March 23 decision to approve a merger between Pepco and Exelon. OAG’s application requests that the Commission either approve [the original settlement the parties reached last October](#) or disapprove the merger. That agreement, which OAG helped negotiate, protected residential ratepayers in the District from rate increases through the end of March, 2019 and offered millions of dollars in other community benefits. The District government objected to the merger terms the PSC proposed and approved last month, an alternative agreed to by Pepco and Exelon, because it did not offer the same protections and benefits to District residents.

“We believe the Public Service Commission exceeded its authority, failed to follow their own procedural rules, and denied the District due process when it approved merger terms acceptable to Pepco and Exelon but opposed by the overwhelming majority of the other parties involved,” said Attorney General Racine. **“The agreement that the Mayor, our office, and the Office of the People’s Counsel helped broker last fall was the product of an arduous negotiation process. We urge the Commission to vacate its approval of the merger and, following proper input from all parties, reinstate the protections for residential ratepayers in the District as well as the other significant benefits that were in the original settlement agreement.”**

The District’s application argues that the Commission did not have the authority to approve its proposal, failed to follow its own procedural rules in approving the proposal over the majority of the parties’ objections, and did not make the findings necessary to support its conclusion that the revised proposal was in the public interest. A copy of OAG’s application for reconsideration is attached.