

UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION

Delaware Division of the Public Advocate,)
Delaware Municipal Electric Corporation,)
Inc.,)
Delaware Public Service Commission,)
Maryland Office of People's Counsel,)
Maryland Public Service Commission,)
New Jersey Board of Public Utilities,)
New Jersey Division of Rate Counsel,)
Office of the People's Counsel of the District)
of Columbia, and)
Public Service Commission of the District of)
Columbia,)
Complainants)

Docket No. EL13-48-001
EL15-27-000
(Consolidated)

v.)
)
Baltimore Gas and Electric Company, and)
Pepco Holdings, Inc., Operating Affiliates:)
Potomac Electric Power Company, Delmarva)
Power & Light Company, and Atlantic)
City Electric Company,
Respondents.

**JOINT MOTION FOR SUSPENSION OF PROCEDURAL SCHEDULE, FOR
WAIVER OF ANSWERS, AND FOR EXPEDITED ACTION**

To: Honorable John P. Dring
Presiding Administrative Law Judge

Pursuant to Rule 212 of the Commission's Rules of Practice and Procedure, 18
C.F.R. § 385.212 (2015), the Complainants¹ and Respondents² in this consolidated

¹ Complainants are: Delaware Division of the Public Advocate, Delaware Municipal Electric Corporation, Inc., Delaware Public Service Commission, Maryland Office of People's Counsel, Maryland Public Service Commission, New Jersey Board of Public Utilities, New Jersey Division of Rate Counsel, Office of the People's Counsel of the District of

proceeding (“Joint Movants”), which are the active parties in this proceeding, hereby request that the Presiding Administrative Law Judge suspend the procedural schedule in this proceeding.

The only two items at issue in this proceeding are the base return on equity (“ROE”) contained within the Formula Rates for Respondents, and the Formula Rate Protocols that accompany those Formula Rates. On May 29, 2015, the Complainants and Respondents notified the Presiding Judge that they had achieved a settlement in principle on the Formula Rate Protocols, and requested the Presiding Judge to suspend the procedural schedule with respect to the Formula Rate Protocols, but allowing the procedural schedule to continue with respect to the Respondents’ base ROE. On June 1, 2015, the Presiding Judge issued an order granting that motion. On July 31, 2015, the Respondents filed a Settlement Agreement resolving all issues related to the Formula Rate Protocols. On September 9, 2015, the Presiding Judge certified the Settlement Agreement to the Commission.

The Joint Movants have now reached a settlement in principle on the Respondents’ ROE, the only remaining issue subject to hearing procedures. Accordingly, the Joint Movants request that the Presiding Judge suspend the procedural schedule in full. The Joint Movants contemplate that suspension of the schedule would mean that all phases of the proceeding would be suspended (i.e., there would be no additional

Columbia, and Public Service Commission of the District of Columbia.

² Respondents are: Baltimore Gas and Electric Company, and Pepco Holdings, Inc., Operating Affiliates: Potomac Electric Power Company, Delmarva Power & Light Company, and Atlantic City Electric Company.

testimony, discovery, hearing or other procedures). The undersigned is authorized to represent that all active parties in the proceeding (the Joint Movants) have joined in the settlement in principle and join in this Motion, and that Commission Trial Staff (the only other active participant) does not oppose the grant of this Motion. Suspension of the procedural schedule in this manner is appropriate in these circumstances. The Joint Movants anticipate filing a Settlement Agreement with the Commission within thirty days.

For the reasons stated above, the Joint Movants respectfully request that this Joint Motion for Suspension of the Procedural Schedule in the above-captioned proceeding be granted. Since the Motion is unopposed, and in view of the fact that the next date in the procedural schedule that would be affected by this motion is Respondents' filing of testimony on Wednesday, September 16, 2015, the Joint Movants respectfully request that Your Honor waive the requirement for answers hereto and expeditiously rule on this Motion.

Respectfully submitted,

/s/ Gary A. Morgans
Gary A. Morgans
Steptoe & Johnson LLP
1330 Connecticut Avenue, N.W.
Washington, D.C. 20036

On Behalf of the Joint Movants

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon each person designated on the official service list compiled by the Secretary in this proceeding.

Dated at Washington, D.C. this 14th day of September, 2015.

/s/ Gary A. Morgans
Gary A. Morgans
Steptoe & Johnson LLP
1330 Connecticut Avenue, N.W.
Washington, DC 20036
(202) 429-6234

On Behalf of the Joint Movants