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**PUBLIC SERVICE COMMISSION**

March 23, 2015

In the Matter of the Merger of Exelon  
Corporation and Pepco Holdings, Inc.

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Case No. 9361

**NOTICE OF FURTHER MODIFICATION TO PROCEDURAL SCHEDULE**

**To: Service List for Case No. 9361 and Interested Persons**

On March 17, 2015, the Maryland Public Service Commission (“Commission”) issued a Notice of Hearing, Public Comment Period, and Modification to Procedural Schedule to consider two settlement agreements<sup>1</sup> filed by Exelon Corporation, Pepco Holdings, Inc., Potomac Electric Power Company, and Delmarva Power & Light Company (collectively, “Joint Applicants”) in this proceeding. On March 19, 2015, the Office of People’s Counsel (“OPC”) filed a Motion for Modification to the Procedural Schedule (“Motion”).<sup>2</sup> Responses to the Motion were filed by the Joint Applicants, Montgomery County, Maryland, Apartment and Office Building Association of Metropolitan Washington, and the Staff of the Commission. In addition, on March 20, 2015, OPC filed a letter replying to the Joint Applicants’ Response.

Furthermore, on March 20, 2015, in light of OPC’s Motion and responses to modify the current procedural schedule, the Joint Applicants filed a Stipulation<sup>3</sup> to further extend the deadline for the Commission’s decision in the above-referenced matter until May 8, 2015, if the Commission determines that a modification to the procedural schedule is warranted.

<sup>1</sup> The first settlement, filed on March 2, 2015, was reached with The Alliance for Solar Choice (“TASC Settlement”). The second settlement, filed on March 17, 2015 is a Settlement Agreement and Stipulation between the Joint Applicants, Montgomery County, Maryland, Prince George’s County, Maryland, the National Consumer Law Center, the National Housing Trust, the Maryland Affordable Housing Coalition, the Housing Association of Nonprofit Developers, and the Mid-Atlantic Off-Road Enthusiasts (and related parties) (“Multi-Party Settlement”).

<sup>2</sup> A copy of the Motion can be viewed or downloaded from the electronic case jacket in this proceeding available on the Commission’s website at [www.psc.state.md.us](http://www.psc.state.md.us), Item No. 215.

<sup>3</sup> See Maillog No. 165432.

Specifically, in order to provide additional time for parties to file testimony and for the Commission to conduct evidentiary hearings to consider and evaluate the Joint Applicants' Request for Adoption of Settlements, the Joint Applicants stipulate: 1) For the sole purpose of extending the deadline for the Commission to issue its order as required under PUA §6-105(g)(6), the Application will be deemed filed on September 25, 2014; and 2) Should the Commission issue its order on or before May 8, 2015, the Joint Applicants will not assert in any forum that the Application is approved by operation of law under PUA § 6-105(g)(6)(ii).

After reviewing OPC's Motion and responses by the Parties, the Commission grants, in part, OPC's Motion and further modifies the procedural schedule in this proceeding as follows:

Written Testimony:<sup>4</sup>

- Testimony by the Joint Applicants, signatories to the TASC Settlement and Multi-Party Settlement, and other Parties supporting the Settlement(s) who desire to do so shall be filed by March 27, 2015.
- Response Testimony by all other Parties who desire to do so shall be filed by April 6, 2015.

Settlement Evidentiary Hearings:

- Wednesday, April 15, 2015, beginning at 10:00 a.m.;
- Thursday, April 16, 2015, beginning at 10:00 a.m.; and
- Friday, April 17, 2015, beginning at 10:00 a.m. (if needed).

The hearings will be held in the Commission's 16<sup>th</sup> Floor Hearing Room at 6 St. Paul Street, Baltimore, Maryland 21202. The Commission reserves the right to modify the start time of the hearings and procedural schedule, as necessary.

Written Public Comments:

- Written public comments on both settlements also may be filed by April 17, 2015. Original signed paper comments shall be submitted to David J. Collins, Executive Secretary, Maryland Public Service Commission, William Donald Schaefer Tower, 6 St. Paul Street, 16th Floor, Baltimore, Maryland 21202, and reference "Case No. 9361 – Public Comment."

Discovery response time continues at 3 business days for all Parties and is limited to the TASC Settlement and Multi-Party Settlement.

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<sup>4</sup> An original and 17 paper copies, and an electronic copy, of the testimony shall be submitted to the Commission, and, five copies of all testimony shall be three-holed punched. In addition, all testimony shall be served electronically on each of the Parties to avoid delay in receipt of such testimony.

The Commission will determine at the conclusion of the April, 2015 evidentiary hearings whether any post-hearing briefs shall be filed.

Finally, in light of this Further Modification to the Procedural Schedule, the Commission hereby accepts the Joint Applicants Stipulation filed on March 20, 2015.

By Direction of the Commission,

*/s/ David J. Collins*

David J. Collins  
Executive Secretary