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OPC Appeals Pepco/Exelon Merger in Move to Bolster Benefits for DC Consumers & Ensure Integrity of the Legal Process

Washington, D.C. – Sandra Mattavous-Frye, the People's Counsel for the District of Columbia, announced that today the Office of the People's Counsel (OPC) filed a Petition for Review requesting the DC Court of Appeals to examine the Public Service Commission's (PSC) June 17, 2016 order approving the Pepco/Exelon merger.

"OPC is appealing the PSC's order because it has a number of procedural weaknesses that must be addressed by the DC Court of Appeals," said Mattavous-Frye. "Judicial review is critical not only because the decision impacts this case, but all cases going forward in terms of the process and procedures the Commission uses in making its decisions. It concerns the amount of process, or lack thereof, afforded to all parties; and the manner in which settlements are decided."

In deciding to file an appeal, OPC focused on whether the Commission adhered to its rules, whether the decision was legally sound and whether the process was fundamentally fair. The Court of Appeals could order the PSC to modify the merger agreement while allowing the merger to stand or reject the merger outright.

"My staunch commitment from the beginning of this case to today to ensure that District consumers receive maximum benefits from the merger dictates that OPC exhaust all reasonable remedies and not let bygones be bygones," said Mattavous-Frye. "At the same time, OPC will actively litigate and oppose Pepco's \$85 Million rate increase request."

In the coming weeks, OPC will file a brief detailing the basis for its appeal and a full explanation of the remedies sought.

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