

945 - E - 1654

PUBLIC SERVICE COMMISSION OF THE DISTRICT OF COLUMBIA
1333 H STREET, N.W., SUITE 200, WEST TOWER
WASHINGTON, DC 20005

ORDER

July 19, 2007

**FORMAL CASE NO. 945, IN THE MATTER OF THE INVESTIGATION INTO
ELECTRIC SERVICE MARKET COMPETITION AND REGULATORY PRACTICES,**
Order No. 14377

I. INTRODUCTION

1. By this Order, the Public Service Commission of the District of Columbia ("Commission") grants the District Department of the Environment's Energy Office's ("DDOE") "Motion for Extension of Time to Promote Programs C-1, C-2, C-4, C-6 and to Complete the Solar Home Project in Program C-4" ("Motion").¹ The Commission temporarily extends DDOE's authority to administer the C-1, C-2, C-4, and C-6 programs until September 30, 2007.

II. BACKGROUND

2. The District of Columbia Retail Competition and Consumer Protection Act of 1999 ("Act") requires the Commission to establish programs that will: 1) foster universal service by providing assistance to low-income customers; 2) promote energy efficiency; and 3) encourage the use of renewable energy sources.² By Order, the Commission designated DDOE to act as administrator of the Reliable Energy Trust Fund ("RETF"), which funds all three groups of programs.³ By Order No. 13475, the Commission approved thirteen RETF programs on a two-year pilot basis.⁴ Programs C-1 and C-2 (Energy Star Awareness and Promotion), C-4 (Education and Public Outreach, and C-6 (HERS Loan Promotion) are four of the thirteen approved pilot programs.⁵ The two-year pilot program was to end on May 31, 2007.

¹ *Formal Case 945, In the Matter of the Investigation into Electric Service Market Competition and Regulatory Practices ("F.C. 945")*, District Department of the Environment's Energy Office's Motion for Extension of Time to Promote Programs C-1, C-2, C-4, C-6 and to Complete the Solar Home Project in Program C-4, ("DDOE Motion"), filed June 20, 2007.

² D.C. Code § 34-1514 (c)(1)(A), (c)(2)(A), (c)(3) (2006).

³ *F.C. 945*, Order No. 12778, rel. July 9, 2003.

⁴ *F.C. 945*, Order No. 13475, rel. March 7, 2005.

⁵ *See F.C. 945*, Order No. 13475 at 31 (referring to C-1 and C-2 programs as "joint programs").

3. On May 11, 2007, DDOE filed a motion requesting a four-month extension on ten RETF programs.⁶ With respect to the C-1, C-2, C-4, and C-6 programs, DDOE stated that it was not asking for an extension of these programs because:

DDOE believed that these programs have had the desired effect of raising awareness in the District of the need to become more energy efficient...Going forward, promotion and marketing costs associated with individual programs will be incorporated into program budgets.⁷

4. By Order No. 14321, the Commission granted DDOE's motion for a four-month extension for the 10 RETF programs.⁸ The ten RETF programs will expire on September 30, 2007.

5. On June 20, 2007, DDOE changed positions on the C-1, C-2, C-4, and C-6 programs and filed a motion to extend these programs "by four months beyond May 31, 2007."⁹ In support of its Motion, DDOE claims that without promotion, the programs extended by Order No. 14321 might not achieve their goals.¹⁰ Additionally, DDOE requests that the Commission extend the Solar Home Project for four months.¹¹ DDOE states that of the budgeted \$140,000 for the Solar Home, \$40,000 remains. DDOE asks that the Commission permit it to use the remaining \$40,000 to complete construction and outfitting of the Solar Home.

6. On July 2, 2007, the Office of the People's Counsel ("OPC") filed comments in support of DDOE's motion to extend the C-1, C-2, C-4, and C-6 programs.¹² Specifically, OPC states that its support is based on DDOE's assertion that no additional funding is required.¹³

⁶ *F.C. 945*, District Department of the Environment's Energy Office's Motion for Four-Month Extensions of Ten Reliable Energy Trust Fund Programs, ("DDOE Motion for Four-Month Extension"), filed May 11, 2007 at 1 (The ten RETF programs included: B-5 Distributed Generation and Net Metering; C-3 Non-Profit Energy Efficiency Initiative, C-5 Home Energy Rating System ("HERS"), C-10 Institutional Energy Efficiency Program ("IEEP"), C-12 Energy Star Rebates, C-13 Small Business Energy Efficiency, D-1 Low Income Home Energy Assistance Program ("LIHEAP") Extension, D-3 RAD Arrearages, D-5 Energy Efficient Appliances, and D-6 Weatherization /Rehabilitation).

⁷ *F.C. 945*, DDOE Motion for Four-Month Extension, Memorandum in Support of Motion for Four-Month Extensions of Ten Reliable Energy Trust Fund Programs at 7.

⁸ *F.C. 945*, Order No. 14321, rel. May 31, 2007; *see also* Order No. 14341, rel. June 20, 2007 (directing DDOE and Pepco to implement the D-3 program as per Commission instruction within that order).

⁹ *F.C. 945*, DDOE Motion, filed June 20, 2007.

¹⁰ *Id.* at 1.

¹¹ *Id.*

¹² *F.C. 945*, Response of the Office of the People's Counsel to the District Department of the Environment's Energy Office's Motion for Extension of Time to Promote Programs C-1, C-2, C-4, C-6, and to Complete the Solar Home Project in Program C-4 ("OPC Comments"), filed July 2, 2007.

¹³ *F.C. 945*, OPC Comments at 1.

However, OPC avers that its support in this instance should not be interpreted as support for permanently approving DDOE's programs. Further, according to OPC, "DDOE did not request an extension for the promotional programs in May 2007 because the amount of unspent funds for these programs was unknown when it made its first request."¹⁴ Thus, OPC recommends that the Commission grant DDOE's request.

III. DECISION

7. After reviewing DDOE's motion and the subsequent comments, we grant DDOE's motion to extend programs C-1, C-2, C-4, and C-6 using unspent promotional funds through September 30, 2007. We also grant DDOE's request to complete the C-4 Solar Home Project using unspent funds through September 30, 2007. We believe that granting DDOE's motion will help increase the awareness and success of the ten programs extended by Order No. 14321.

THEREFORE, IT IS ORDERED THAT:

8. District Department of the Environment's Energy Office's motion is **GRANTED**;

9. District Department of the Environment's Energy Office's authority to administer the C-1, C-2, C-4, and C-6 programs is extended to September 30, 2007.

A TRUE COPY:

BY DIRECTION OF THE COMMISSION:

CHIEF CLERK



**DOROTHY WIDEMAN
COMMISSION SECRETARY**