Agency Office of the People's Counsel Fiscal Year 2021 Agency Code DJ0

Mission The mission of the Office of the People's Counsel ("OPC" or "Office") is to advocate for the provision of safe and reliable quality utility service and equitable treatment at rates that are just, reasonable, and nondiscriminatory.

Summary of Services
OPC is a party to all utility-related proceedings before the DC Public Service Commission and represents the interests of DC ratepayers before local and federal regulatory agencies and courts. The Office assists individual consumers in disputes with utility companies about billing or services and provides consumer education and outreach to community groups and associations on emerging issues impacting the quality, reliability and affordability of their utility services and associated environmental issues. The Office provides technical assistance to consumers, the Consumer Utility Board (CUB), as well as other D.C. community groups. OPC also provides legislative analysis for, assistance to and testimony before the D.C. Council on utility matters.

2021 Accomplishments

Accomplishment	Impact on Agency	Impact on Residents
Successfully advocated for energy and water utility disconnection moratorium law and related utility consumer protections during COVID-19 pandemic.	This accomplishment denotes OPC's vigorous commitment to defend and protect the utility rights of DC consumers.	This action was instrumental in assisting DC residents in dire need of assistance during this critical time.
Expanded OPC's consumer-focused climate change advocacy at the DC Public Service Commission, Federal Energy Regulatory Commission, Pennsylvania New Jersey Maryland Interconnection LLC, DC Water, and to DC community stakeholders.	To accomplish this new and emerging advocacy, OPC has added a climate section to the Litigation Division in FY 21, to address the specific area of climate change in order to serve District consumers more effectively	Through the agency's efforts in FY 21, DC residents have received increased representation amid rapidly climate policy landscape.
Zealously litigated complex Pepco and WGL rate cases, resulting in lower rates to DC consumers than Pepco and WGL's requested rate increases, including a rate credit benefit for houses of worship.	The initiative is mission critical work for OPC and it shows our continued effort to ensure that rates are just, and reasonable for District consumers.	Residents received lower rate increases that the utilities initially proposed.

2021 Key Performance Indicators

Measure	Frequency	FY 2019 Actual	FY 2020 Actual	FY 2021 Target	FY 2021 Quarter 1	FY 2021 Quarter 2	FY 2021 Quarter 3	FY 2021 Quarter 4	FY 2021 Actual	Was 2021 KPI Met?	Explanation For Unmet KPI
1 - Provide	consumer educ	cation, outr	each and te	chnical ass	istance to Di	strict ratepay	ers and cons	umers on ma	tters relatir	ng to natu	ral gas, electric and telephone utilities. (3 Measures)
Percent of consumer complaints closed annually	Quarterly	63.3%	81.7%	90%	77.9%	62%	71.2%	96.1%	76%	Unmet	The total number of complaints is lower than the number of complaints closed because the IQ database includes cases that were created in the prior fiscal year, but were not closed until FY21. For example, if a case was opened in September of FY20, but wasn't closed until FY21 then it would be included in the total closed count. Also, the lower percentage involves cases that were opened at the tail end of FY21 due in part to the large city-wide outreach and marketing campaign which resulted in a large amount of complaints having been opened just prior to the close of the Fiscal Year. These cases have not passed the point beyond when the utility must submit a final response to our office and are still open for that reason. I'm certain that the media team could provide evidence of the mailer and media campaign that went out upon request.
Number of consumer outreach meetings	Quarterly	1031	1334	660	284	286	417	435	1422	Met	
Number of Professional Meetings Attended	Quarterly	New in 2021	New in 2021	New in 2021	172	203	255	155	785	New in 2021	
2 - Ensure e	effective advoc	acy on beha	alf of consu	mers and ra	tepayers of	natural gas, e	electric and to	elephone ser	vices in the	District. (1 Measure)
Number of proceedings initiated by OPC	Annually	5	2	4	Annual Measure	Annual Measure	Annual Measure	Annual Measure	3	Unmet	In FY21, OPC initiated three proceedings before the PSC. There were two consumer complaints and one petition re: WGL leaks. The goal was 4 cases. We were unable to file the fourth case because there was not another issue that required a proceeding to be filed before the Commission. Shortly after the completion of FY21, OPC did file a petition for an investigation into Pepco's construction practices.

2021 Workload Measures

Measure	FY 2019 Actual	FY 2020 Actual	FY 2021 Quarter 1	FY 2021 Quarter 2	FY 2021 Quarter 3	FY 2021 Quarter 4	FY 2021 Actual		
1 - Consumer assistance (3 Measures)									
Number of Consumer Complaints	1252	1090	280	700	445	545	1970		
Number of Consumer Inquiries	1150	1392	442	389	225	202	1258		
Number of NEP/LEP persons served by the agency	3113	1077	32	22	20	774	848		
2 - OPC Consumer Advocacy (1 Measure)									
Number of cases litigated before the Public Services Commission, Federal Energy Regulatory Commission, Federal Communications Commission and PJM	46	Not Available	19	12	11	15	57		

2021 Operations

Operations Title	Operations Description	Type of Operations			
1 - Provide cor	sumer education, outreach and technical assistance to District ratepayers and consumers on matters relating to natural gas, electric and telephone utilities. (2 Activities)				
Daily Consumer Education Activities	OPC's consumer services division provides daily consumer education and outreach activity by attending and conducting various community meetings on a weekly and monthly basis.				
Consumer assistance	On a daily basis, OPC provides consumers with pertinent information for city services, not provided by OPC. The agency receives many misdirected calls, and strives to ensure that residents needing assistance are referred to the correct city agency for service.	Daily Service			
2 - Ensure effe	ctive advocacy on behalf of consumers and ratepayers of natural gas, electric and telephone services in the District. (1 Activity)				
OPC Consumer Advocacy	Consumer This operation describes the mission critical work OPC conducts in advocating for consumer regulatory issues.				

Operations	Operations Description	Type of
Title		Operations

3 - Enhance agency operational efficiency to improve agency efficiency and productivity, service delivery and cost reduction. (1 Activity)

Enhancing Agency Operational Efficiency OPC is working efficiently and effectively to assist District consumers with individual inquiries and complaints regarding their utility services and billing on both an informal and formal basis. OPC staff is continuing its comprehensive consumer education program, which includes outreach to non-English speaking and senior consumers. OPC has a robust seniors outreach and education program that is a vital component of its consumer education and outreach program. OPC has enhanced its partnerships with AARP, the Office on Aging and Commission on Aging. OPC staff educates seniors through presentations at community and mini-commission on aging meetings and at senior centers throughout the District. OPC staff also regularly updates the "Seniors Resource Guide" about home energy efficiency tips and changes in the District's utility markets. OPC's seniors outreach and education program is designed to assist seniors in managing their utility services costs.

Daily Service

2021 Strategic Initiatives

Strategic Initiative Title	Strategic Initiative Description	Completion to Date	Status Update	Explanation for Incomplete Initiative
Consumer	assistance (1 Strategic Initiative)			
Social Service Quarterly Discussions	OPC will hold four quarterly Social Services Quarterly Discussions in throughout FY 21 to foster continued coordination of government and nonprofit service providers to assist DC consumers who have been negatively impacted by the Covid-19 state of emergency.	Complete	In Q3 and, OPC conducted two additional quarterly discussions, "Here to Help and Staying Connected" and "Social Service Outreach Event."	
Daily Consu	umer Education Activities (3 Strategic initiatives)			
Consumer Complaint Software	Roll out of a new consumer complaints software system and revised tracking measures, tied to our new standard operating procedures.	50-74%	In Q3 an RFP was issued to re-construct the database. In Q4, a vendor was selected. OPC is currently working with the vendor to develop implement the agency's new consumer complaint system.	The vendor selection for this project took longer than initially anticipated.
Enhanced DC Water Customer Assistance Program	OPC will work with DC Water in the development and implementation of enhanced and/or additional DC Water customer assistance programs to assist consumers negatively impacted economically by the COVID-19 public health emergency. These initiatives include: (1) DC Water Cares Program to provide \$2,000 bill assistance to eligible households (2) one-time assistance to low-income residents of multi-family buildings.	Complete	Regarding the DC Water Customer Assistance programs, in QQ3 and Q4, OPC advocated for extension and expansion of the DC Water customer assistance programs, including COVID-19-related DC Water customer assistance programs through written comments and oral testimony at DC Water public hearings and Council hearings.	
DC Water Customer Advocacy	OPC will advocate for and collaborate with stakeholders, such as DC Water, DC Council, and other entities, to address the challenges of sewer backups from flooding and explore proposals to assist affected consumers. This includes (1) expanding the backflow valve reimbursement program (2) expanding the remediation program as to the September 10 rainfall and flooding.	Complete	Regarding the Sewer Backup Assistance, in Q3 and Q4, OPC assisted consumers in obtaining financial assistance from DC Water for September 10, 2020, flood-related damages, and investigated and prepared a report on flood insurance options in the District for its use in developing consumer policy recommendations and related briefing document to educate District communities regarding flood prevention and preparation.	
OPC Consu	mer Advocacy (7 Strategic initiatives)			
COVID-19 Relief investigation	COVID Relief Investigation (Formal Case No. 1164): In 2020, OPC filed a Petition with the DC Public Service Commission to initiate a proceeding to explore the options to mitigate the negative impacts of COVID-19 that may be available to DC utility consumers following the lifting of the current state of emergency and public health emergency. OPC will identify the magnitude of utility arrearages and develop solutions to enable consumers to maintain their utility service.	Complete	Following a series of technical conferences, the Commission increased the income eligibility threshold for customer participation in current utility discount programs and directed Washington Gas Light Company to develop an Arrearage Management Program, to further help mitigate the economic hardship brought on by the COVID19 pandemic.	
Formal Case 1142 - Climate Business Plan	Climate Business Plan (Formal Case No. 1142) – OPC will continue examining a range of issues present in this proceeding to explore Washington Gas' efforts to develop a long-term business plan on how the Company can evolve its business model to support and serve the District's 2050 climate goals. OPC will file comments, attend Commission workshops in FY 2021 related to climate issues to advance and support the District's climate goals.	Complete	Regarding Formal Case 1142 Climate Business Plan, in Q3 and QQ4, OPC has actively advocated ratepayer interests in this docket and Formal Case 1167 through motions, comments and correspondence to advance just, equitable, affordable and resilient utility climate change planning in support of the District's climate commitments, and was successful in its request that the PSC require the filing of both Pepco and Washington Gas Light's plans of how their businesses would support the transition to clean energy in support of the District's 2032 and 2050 decarbonization targets.	
Formal Case 1163 - Microgrids Notice of Inquiry (NOI)	Microgrids NOI (Formal Case No. 1163) – The Commission established a Notice of Inquiry to examine how microgrids can be incorporated into the District of Columbia's energy infrastructure. OPC will file comments and otherwise advocate for the promotion of policies supporting the District's climate goals and for related consumer protections in this proceeding.	50-74%	Regarding Formal Case 1163 Microgrids – Notice of Intent, OPC actively participated in the PSC's investigation of the use of microgrids and filed comments urging the development of an electric grid that accommodates microgrids in a manner that supports the District's climate goals and urging the equitable use of microgrids to benefit all DC consumers.	This is an ongoing legal proceeding.
OPC Podcasts	OPC Podcasts: OPC will develop and broadcast Educational Podcasts on issues impacting District residents. The podcasts will utilize the OPC Energy Lab.	50-74%	Due to scheduling conflicts, the podcast initiative has not been completed. The agency will host four more podcasts in FY 22.	Due to scheduling conflicts, the podcast initiative has not been completed. The agency will hos four more podcasts in FY 22.
Appeal of the Minimum Offer Price Rule (MOPR) before the 7th Circuit	OPC will continue appealing the Federal Energy Regulatory Commission's (FERC) Minimum Offer Price Rule (MOPR) before the U.S. Court of Appeals for the 7th Circuit, because this rule violates states' statutory right to choose the resource mix they prefer, significantly impedes the District's ability to meet its climate goals, and will cost ratepayers across the Pennsylvania New Jersey Maryland Interconnection (PJM) region billions of dollars. OPC will conduct an educational forum to educate consumers on how this impacts all District residents.	Complete	OPC advocated for and participated in the PJM Interconnection, LLC stakeholder process that lead to the adoption of a focused minimum offer price rule (MOPR) that will allow the District to pursue its decarbonization plans without consumers paying twice for capacity or stifling the development of renewable resources. According to a recent study the change in MOPR policies could save DC consumers as much as \$34 million per year.	
Appeal of PJM's Quadrennial Review before the DC Circuit	OPC will appeal certain aspects of the Federal Energy Regulatory Commission's (FERC) order approving Pennsylvania New Jersey Maryland Interconnection's (PJM) Quadrennial Review at the U.S. Court of Appeals for the DC Circuit to address OPC's concern that PJM's use of an inefficient reference resource will lead to capacity overprocurement by PJM and cost ratepayers billions of dollars.	Complete	In July the U.S. Court of Appeals for the D.C. Circuit agreed with OPC that the Federal Energy Regulatory Commission (FERC) had not offered adequate justification for the inclusion of a 10% energy and ancillary services offset in PJM Interconnection, LLC's (PJM) capacity market design. The inclusion of the adder unjustly raises prices for consumers. However, the Court disagreed with OPC that FERC was not justified in approving PJM's choice of a reference resource for its capacity market modeling.	
Supporting Regional Transmission Planning	OPC will advocate on behalf of DC ratepayers by opposing a proposal at the Federal Energy Regulatory Commission (FERC) which would have turn significant portions of transmission planning over to the transmission owners for self-approved projects and will seeking rehearing of that order. OPC supports a proposal currently before FERC which would require Pennsylvania New Jersey Maryland Interconnection (PJM) to plan end-of-life transmission replacement projects.	50-74%	In July, Federal Energy Regulatory Commission (FERC) issued an advanced notice of proposed rulemaking (ANOPR) regarding transmission planning for the wholesale electric markets. OPC has been actively engaged in PJM Interconnection, LLC workshops regarding the ANOPR, filed comments at FERC and will speak (on November 15) at a FERC technical conference on this issue.	This is a legal proceeding. it is ongoing.