

a state regulatory agency that has not been obtained on the date the application for the DOE FOA is due:

For projects that include the need for approvals from state, local, regional, and/or federal agencies, submitted Project Plans are required to include a discussion in the technical approach of when and how those approvals will be obtained. Applications should include correspondence from the relevant regulatory agency indicating when the approval process will begin and outlining the likely timeline

Applicants that do not yet have regulatory approval are eligible for receiving an award. Examples might include applications that require approvals for cost recovery or dynamic pricing tariffs. However, DOE may withhold some or all of the grant funds until regulatory approval is obtained.

The Commission is committed to reviewing the Company's AMI proposal on an expedited, but feasible, schedule. In that regard, the Commission hereby establishes an aggressive procedural schedule for considering the Company's AMI project and, if approved, any appropriate mechanisms for the recovery of the costs associated with the project. That said, and although it is mindful of the opportunity for federal funding, the Commission notes that it must and will undertake a thorough and careful review before approving programs of this cost and magnitude.

IT IS THEREFORE, this 5th day of August, in the year Two Thousand Nine, by the Public Service Commission of Maryland,

ORDERED: (1) That Case No. 9208 is initiated to consider the Application filed by the Company;

(2) That the Company, Staff, the Maryland Office of People's Counsel, the Maryland Energy Administration, Montgomery County Office of Consumer Protection, and AARP Maryland are deemed Parties of Record in the proceeding;

(3) That the Company shall file a copy of the application that it submits to the Department of Energy in response to the DOE FOA with the Commission; and

(4) That the following procedural schedule is adopted:

- By August 20, 2009 - Persons that have not been deemed Parties of Record in the proceeding shall file Petitions to Intervene;
- By September 22, 2009 - Parties of Record and Intervenors shall file direct testimony;
- By October 22, 2009 - the Companies, Parties of Record, and Intervenors shall file reply testimony;
- Hearings in the proceeding shall be conducted in the Commission's 16th Floor Hearing Room as follows:

Wednesday, November 4, 2009, beginning at 1 p.m.
(or upon the conclusion of the Administrative Meeting, whichever is later)

Thursday, November 5, 2009, beginning at 10 a.m.

Friday, November 6, 2009, beginning at 10 a.m.

- The Commission intends to issue an Order by December 31, 2009.

In the event that additional hearing dates are needed, the Commission will schedule such dates as needed. The Commission retains the right to make changes to this procedural schedule as necessary.

By Direction of the Commission,

/s/ Terry J. Romine

Terry J. Romine
Executive Secretary

cc: Ronald Decker, Esq., Staff Counsel

Paula C. Carmody, Esq., People's Counsel

Walt Auburn, MEA

Eric Friedman, Director, Montgomery County Office of Consumer Protection

Henry M. Greenberg, AARP Maryland