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PUBLIC SERVICE COMMISSION

March 24, 2026

DRIVE Act Implementation

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Case No. 9761

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**NOTICE OF REQUEST FOR PROPOSALS FOR STANDARD EVALUATION
METRICS FOR THE DRIVE ACT¹ TIME-OF-USE PROGRAMS**

As directed in Order No. 91218 and pursuant to the *Annotated Code of Maryland*, Public Utilities Article (“PUA”) § 7-1003—part of the 2024 Distributed Renewable Integration and Vehicle Electrification (“DRIVE”) Act—each investor-owned electric company is required to submit a report to the Commission evaluating “the potential to avoid or defer electric distribution system capital projects through the use of time-of-use rates, demand response, and demand-side programs and renewable on-site generating systems.” The statute also requires electric distribution companies (“EDC”) to evaluate the merits and feasibility of transitioning all customers to a time-of-use (“TOU”) tariff on an opt-out basis.

During the February 18, 2026 Administrative Meeting, Commission Technical Staff (“Staff”) discussed with Commissioner Suchman the need for a set of standard criteria and uniformity for the DRIVE Act reporting requirements described above. Staff noted that such reporting differs from that generally performed for TOU rates, because DRIVE Act reporting is

¹ The Distributed Renewable Integration and Vehicle Electrification (“DRIVE”) Act codified in *Md. Code Ann.*, Pub. Util. (“PUA”) § 7-1001 to § 7-1007.

required to evaluate across various EDC programs and rates for the potential to strategically reduce demand to avoid or defer grid infrastructure buildout. Staff also pointed out that the Office of People's Counsel raised a similar concern in its comments² regarding PHI's revised DRIVE Act TOU Implementation Plan.

The Commission recognizes that, while the statute requires submission of program and rate evaluation by all EDCs on July 1, 2026, the statute does not prescribe the exact metrics or methods the utilities should use for such evaluation. However, the Commission finds that, to assess the effectiveness of programs across the EDCs, a common set of metrics would be beneficial. Therefore, the Commission requests that interested parties submit proposals recommending common metrics and methods for the EDCs to implement in their July 1, 2026 reporting to the Commission, which can facilitate the Commission's evaluation of the potential of the EDC's TOU rates, demand-response programs, demand-side programs, and renewable on-site generating systems to avoid or defer electric distribution system capital projects. All proposals must be filed within 30 days of the issuance of this Notice.

By Direction of the Commission,

/s/ Andrew S. Johnston

Andrew S. Johnston
Executive Secretary

² Maillog No. 327171 at 6-8.