

**BEFORE THE
PUBLIC SERVICE COMMISSION
OF THE DISTRICT OF COLUMBIA**

IN THE MATTER OF

REBECCA BARBISCH LEVINSON
Complainant,

v.

POTOMAC ELECTRIC POWER COMPANY
Respondent.

) **Formal Hearing**
) **Consumer Complaint**
) **No. CC 2025-9075277**
)
)
)
)

**COMPLAINANT’S OBJECTION, EXCEPTIONS, AND PETITION
FOR REVIEW OF ORDER DISMISSING FORMAL HEARING COMPLAINT**

Pursuant to DC Code § 2-509 and 15 DCMR § 326.6, complainant Rebecca Barbisch Levinson, respectfully files this Objection, Exceptions, and Petition for Review of the Order dated March 9, 2026, dismissing my Formal Hearing Complaint.¹ On February 24, 2025, the Office of Consumer Services requested that this matter be assigned to a hearing officer for a formal hearing pursuant to 15 DCMR § 325.1.² On March 4, 2025, the Commission assigned this matter to Mr. Noel Antonio, who is serving as Hearing Officer.³

Mr. Antonio has not issued any orders limiting the scope of this proceeding. Mr. Antonio refuses to enforce my right to discovery, to present my case by oral or documentary evidence, to submit rebuttal evidence, and to conduct cross-examination for a full and true disclosure of the facts. Mr. Antonio has not provided any basis for treating my Formal Hearing case filed pursuant

¹ CC202509075277-E-34.

² CC202509075277-E-2 at 3.

³ CC202509075277-E-4.

to the Utility Consumer Bill of Rights, 15 DCMR § 300 *et seq.* as a contested case” pursuant to the Administrative Procedure Act, DC Code §2-509.

Mr. Antonio has not provided any basis for limiting my Formal Hearing case to a singular issue that is not raised in my Formal Hearing Complaint—whether I am “entitled to additional credits beyond those already provided by Pepco.”⁴ Mr. Antonio concludes that my “solar application data” does not satisfy my burden of proof despite the fact that I have never relied on any such data nor is any such data in the record.⁵ Moreover, I am a residential consumer, and unless and until Pepco demonstrates that its billing complies with the Commission’s Rules, this simply is not my burden to bear.

Mr. Antonio cannot simply ignore the allegations raised in my Formal Hearing Complaint and the arguments raised in the Brief I filed on May 29, 2025, pursuant to his Order at the Pre-Hearing Conference. Mr. Antonio’s Order is based on nothing more than rubber stamping Pepco’s unsupported attorney argument. This violates his obligation “to ensure that all material facts are developed to the fullest extent consistent with his ... responsibility to preside impartially throughout the proceeding.” 15 DCMR § 325.17. This constitutes a denial of due process, and it would be a miscarriage of justice to dismiss my Formal Hearing complaint on such unlawful grounds.

Respectfully submitted,

By: /s/ *Rebecca Barbisch Levinson*

Rebecca Barbisch Levinson

⁴ Order ¶ 15.

⁵ Order ¶ 20.