

PETITION OF: MAYOR AND CITY  
COUNCIL OF BALTIMORE

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IN THE

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CIRCUIT COURT

FOR JUDICIAL REVIEW OF THE  
DECISION OF THE MARYLAND  
PUBLIC SERVICE COMMISSION

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FOR

\*

BALTIMORE CITY

IN THE CASE OF THE COMMISSION'S  
INVESTIGATION INTO A RESIDENTIAL\*  
ELECTRIC RATE STABILIZATION AND  
MARKET TRANSITION PLAN FOR  
BALTIMORE GAS AND ELECTRIC  
COMPANY  
CASE 9052

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Part 20

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Case No.: 24-C-06-004895

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**ORDER**

Upon consideration of the Maryland Public Service Commission's ("PSC's" or "Commission's") motion to dismiss the Petition for Judicial Review of PSC Order No. 80838 filed by the Mayor and City Council of Baltimore ("the City"), the City's opposition thereto and the reply filed by the PSC, it is this 8<sup>th</sup> day of June, 2006, by the Circuit Court for Baltimore City, Part 20, **ORDERED** that the motion to dismiss is **GRANTED**, without prejudice. In its Notice of Procedural Schedule and Scheduling Conference dated June 5, 2006 the PSC indicates that it has docketed the City's emergency motion to extend rate caps or, alternatively, to waive interest pending adoption of rate stabilization plan and has determined to treat that motion as a request for rehearing of Order No. 80838. Additionally, pending before the Commission is a request for rehearing of Order No. 80838 filed by the Office of People's Counsel ("OPC"). The Notice of Procedural Schedule and Scheduling Conference directs the parties seeking rehearing to submit by Friday, June 9, 2006 briefs addressing the issues presented to the Court in the present Petition for Judicial Review. Thus, the Court has determined that PSC Order No. 80838 is not a "final

