

**CONSTELLATION ENERGY  
GROUP, INC., et al.**

**Petitioners**

v.

**MARYLAND PUBLIC SERVICE  
COMMISSION, et al.**

**Respondents**

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**IN THE  
CIRCUIT COURT  
FOR  
BALTIMORE CITY**

**Case No.: 24-C-09-003720**

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**ORDER**

Upon consideration of the State of Maryland’s Motion to Dismiss Interlocutory Petition for Judicial Review (pleading no. 9), the Public Service Commission’s Motion to Dismiss Petition for Judicial Review (pleading no. 9/1), the Office of People’s Counsel’s Motion to Dismiss Interlocutory Petitions for Judicial Review (pleading no. 13), the Petitioners’ Oppositions, and the Replies filed thereto, as well as the oral argument held on July 1, 2009, it is this 2<sup>nd</sup> day of July, 2009, by the Circuit Court for Baltimore City, hereby **ORDERED** that:

1. The State of Maryland, the Public Service Commission and the Office of People’s Counsel’s Motions to Dismiss be, and the same are, hereby **GRANTED WITHOUT PREJUDICE** for the reasons stated in this Court’s Memorandum Opinion dated July 2, 2009; and it is further **ORDERED** that:

2. This Court lacks jurisdiction under Section 3-202 of the Public Utility Companies Article to entertain the Petitions for Judicial Review at this time; and it is further **ORDERED** that:

3. All costs associated with this case, at this time, are hereby **WAIVED**.

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Stuart R. Berger  
Judge, Circuit Court for Baltimore City