



VINCENT C. GRAY
MAYOR

November 14, 2014

The Honorable Phil Mendelson
Chairman
Council of the District of Columbia
1350 Pennsylvania Ave., NW, Suite 504
Washington, D.C. 20004

Dear Chairman Mendelson:

Enclosed for consideration and approval by the Council of the District of Columbia is the "Pepco Cost-Sharing Fund For DC PLUG Establishment Act of 2014" (bill), along with an accompanying emergency declaration resolution and temporary and permanent versions of the bill. The bill will establish a special purpose revenue fund, wherein the District Department of Transportation ("DDOT") may deposit funds received from Potomac Electric Power Company ("Pepco") as reimbursement for cost-sharing obligations associated with the District of Columbia Power Line Undergrounding, also known, as DC PLUG, initiative. It is anticipated that Pepco and DDOT will cover the cost of DC PLUG equitably, and in order to achieve an equitable cost-sharing arrangement, Pepco will reimburse DDOT for certain costs associated with DC PLUG. This special purpose revenue fund is necessary so that DDOT has a mechanism in place to receive these funds from Pepco and to dedicate these funds solely for DC PLUG.


I urge the Council to take prompt and favorable action on this proposed legislation.

If you have any questions on this matter, please contact Matthew Brown, Director, District Department of Transportation, at (202) 671-4097.

Sincerely,


Vincent C. Gray

Enclosures


Chairman Phil Mendelson
at the request of the Mayor

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Chairman Phil Mendelson, at the request of the Mayor, introduced the following bill, which was referred to the Committee on the Whole.

To establish, on an emergency basis, a special purpose fund, separate and apart from the General Fund, into which DDOT shall deposit funds received from Potomac Electric Power Company, for which said funds shall be used solely for any permitted purposes authorized by Chapter 13A of Subtitle III of Title 34 for the District of Columbia Power Line Undergrounding, also known as DC PLUG, initiative.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Pepco Cost-Sharing Fund for DC PLUG Establishment Emergency Act of 2014”.

Sec. 2. There is hereby established the Pepco Cost-Sharing Fund for DC PLUG (“Fund”) as a non-lapsing, revolving special purpose revenue fund.

(a) The funds deposited into the Fund, and any interest earned on those funds, shall not revert to the unrestricted fund balance of the General Fund at the end of the fiscal year, or at any other time.

(b) The Fund shall be administered by the Director of the District Department of Transportation and shall be used to pay for any permitted purpose authorized by Chapter 13A of Subtitle III of Title 34 for the District of Columbia Power Line Undergrounding, also known as DC PLUG, initiative.

1 (c) The following shall be deposited in the Fund:

2 1. Transfers from the Potomac Electric Power Company to facilitate cost-sharing
3 for DC PLUG.

4 Sec. 3. Fiscal impact statement.

5 The Council adopts the fiscal impact statements in the committee report as the fiscal
6 impact statements required by section 602(c)(3) of the District of Columbia Home Rule Act,
7 approved December 24, 1973 (87 Stat. 813; D.C. Official Code §1-206.02(c)(3)).

8 Sec. 4. Effective date.

9 This act shall take effect following the approval by the Mayor (or in the event of veto by
10 the Mayor, action by the Council to override the veto), and shall remain in effect for no longer
11 than 90 days, as provided for emergency acts of the Council of the District of Columbia in
12 section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87
13 Stat. 788; D.C. Official Code § 1-204.12(a)).

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF THE ATTORNEY GENERAL



Legal Counsel Division

MEMORANDUM

TO: Lolita S. Alston
Director
Office of Legislative Support

FROM: Janet M. Robins
Deputy Attorney General
Legal Counsel Division

DATE: November 12, 2014

SUBJECT: Pepco Cost Sharing Fund for DC PLUG Establishment Act of 2014
(AE-14-671)

This is to Certify that this Office has reviewed the legislation entitled the "Pepco Cost-Sharing Fund for DC PLUG Establishment Act of 2014", the "Pepco Cost-Sharing Fund for DC PLUG Emergency Establishment Act of 2014", the "Pepco Cost-Sharing Fund for DC PLUG Temporary Establishment Act of 2014" and the accompanying "Pepco Cost-Sharing Fund for DC PLUG Emergency Establishment Act of 2014 Declaration Resolution of 2014" and found them to be legally unobjectionable. If you have any questions, please do not hesitate to call me at 724-5524.


Janet M. Robins