

Posted: January 26, 2017
4:00 PM
Natalie White

BEFORE THE PUBLIC SERVICE COMMISSION

AGENDA

February 2, 2017

**THIS MEETING WILL NOT BE CONDUCTED BY VIDEOCONFERENCE.
THIS MEETING WILL BE VIDEO STREAMED LIVE AT 1:00 PM.**

I. Call Meeting to Order - 1:00 PM, Dover

II. Reading of the Meeting Minutes

- [January 24, 2017 \(Public\)](#)
- January 24, 2017 (Executive)

III. CONSENT AGENDA:

1. IN THE MATTER OF THE APPLICATION OF PREMIERE MARKETING, LLC DBA PREMIERE ENERGY AUCTIONS FOR A CERTIFICATE TO PROVIDE ELECTRIC SUPPLY SERVICES WITHIN THE STATE OF DELAWARE (SUBMITTED JULY 18, 2016; FILED JANUARY 13, 2017) - PSC DOCKET NO. 16-0791

Commission to Consider:

- Application (PREVIOUSLY SENT)
- [Staff Memorandum](#)
- [Proposed Order No. 9022](#) which would grant certification to Premiere Marketing, LLC D/B/A Premiere Energy Auctions to broker electric supply services in the State of Delaware.

2. IN THE MATTER OF THE APPLICATION OF ARTESIAN WATER COMPANY, INC. FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO PROVIDE WATER SERVICES PURSUANT TO 26 DEL. C. §203C ("RIBLETT (NCC103116)") (FILED DECEMBER 5, 2016) - PSC DOCKET NO. 16-1098

Commission to consider:

- [Application](#)
- [Staff Memorandum](#)
- [Proposed Order No. 9021](#) which would grant Artesian's request for a Certificate of Public Convenience and Necessity to provide water service to one parcel of land located in New Castle County, Delaware.

3. IN THE MATTER OF THE APPLICATION OF CENTURYLINK, INC., WILDCAT MERGER SUB 1 LLC, WWG MERGER SUB LLC, WILDCAT HOLDCO LLC, AND LEVEL 3 COMMUNICATIONS, INC. FOR APPROVALS UNDER THE PROVISION OF 26 DEL. C. § 215 (FILED JANUARY 17, 2017) - PSC DOCKET NO. 17-0035
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Commission to consider:

- Application (PREVIOUSLY SENT)
- [Staff Memorandum](#) recommending that the Commission take no action.

4. IN THE MATTER OF THE ESTABLISHMENT OF THE ANNUAL NEW MOTOR VEHICLE DEALERS ASSESSMENT FOR THE YEARS 2009, 2010, 2011, 2012, 2013, 2014, 2015, AND 2016 (FILED JANUARY 23, 2017) - PSC DOCKET NO. 17-0045
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Commission to consider:

- [Proposed Order No. 9019](#) which would establish that no assessments are required for years 2009 through 2016.

IV. REGULAR AGENDA:

1. IN THE MATTER OF THE ADOPTION OF RULES AND REGULATIONS TO IMPLEMENT THE PROVISIONS OF 26 DEL. C. CH. 10 RELATING TO THE CREATION OF A COMPETITIVE MARKET FOR RETAIL ELECTRIC SUPPLY SERVICE (OPENED APRIL 27, 1999; RE-OPENED JANUARY 7, 2003; RE-OPENED SEPTEMBER 22, 2009; RE-OPENED SEPTEMBER 7, 2010; RE-OPENED JULY 17, 2012) - REGULATION DOCKET NO. 49
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Commission to Consider:

- [Staff Comments](#)
- Consideration of public comments and deliberation regarding [Proposed Order No. 9020](#), which would approve as final the proposed Electric Supplier Regulations, and direct that the final Electric Supplier Regulations should be published in the April 1, 2017 Delaware Register of Regulations and become effective April 11, 2017.

2. IN THE MATTER OF THE PETITION OF THE DIVISION OF THE PUBLIC ADVOCATE TO REQUEST THE PUBLIC SERVICE COMMISSION TO AMEND 26 DEL. ADMIN. CODE § 3008.3.2.21 TO ISSUE REGULATIONS GOVERNING WHEN A FREEZE OF THE MINIMUM PERCENTAGES OF ELIGIBLE ENERGY RESOURCES AND SOLAR PHOTOVOLTAICS MAY BE DECLARED PURSUANT TO 26 DEL. C. §§ 354(i) and (j) (FILED OCTOBER 2, 2015) - PSC DOCKET NO. 15-1462
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Commission to Consider:

- [Memorandum Opinion](#), issued December 30, 2016, in *Delaware Division of the Public Advocate v. Delaware Public Service Commission*, C.A. N15A-12-002 AML.
- [Proposed Order No. 9025](#) that, in light of a Memorandum Opinion, issued December 30, 2016, in *Delaware Division of the Public Advocate v. Delaware Public Service Commission*, C.A. N15A-12-002 AML, reverses Commission Order No. 8807 and directs Staff to re-open Regulation Docket 56 to promulgate regulations as directed by the Court.

3. IN THE MATTER OF THE ADOPTION OF RULES AND PROCEDURES TO IMPLEMENT THE RENEWABLE ENERGY PORTFOLIO STANDARDS ACT, 26 DEL. C. §§ 351-363, AS APPLIED TO RETAIL ELECTRICITY SUPPLIERS (OPENED AUGUST 23, 2005; REOPENED SEPTEMBER 4, 2007; AUGUST 5, 2008; SEPTEMBER 22, 2009; AUGUST 17, 2010; SEPTEMBER 6, 2011, SEPTEMBER 18, 2012; FEBRUARY 2, 2017) - REGULATION DOCKET NO. 56
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Commission to Consider:

- [Proposed Order No. 9024](#) that would re-open docket and direct the publication of proposed regulation.

4. IN THE MATTER OF THE PROVISION OF STANDARD OFFER SUPPLY TO RETAIL CONSUMERS IN THE SERVICE TERRITORY OF DELMARVA POWER & LIGHT COMPANY (FILED SEPTEMBER 2, 2016) - PSC DOCKET NO. 16-0909
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Commission to consider:

- Successful bids for Tranche 2 in the procurement of wholesale electric supply to meet the Standard Offer Service load of Delmarva Power & Light Company after June 1, 2017.

NOTE: THE COMMISSION MAY CONVENE IN EXECUTIVE SESSION UNDER 29 DEL. C. §10004(B)(6) FOR THE PURPOSE OF DISCUSSING TRADE SECRETS AND COMMERCIAL OR FINANCIAL INFORMATION OF A PRIVILEGED OR CONFIDENTIAL NATURE RELATED TO STANDARD OFFER SUPPLY PROCUREMENT OF WHOLESALE ELECTRIC SUPPLY. THIS INFORMATION IS NOT A MATTER OF PUBLIC RECORD AS DEFINED IN 29 DEL. C. §10002 (L)(2).

- V. **HEARING SCHEDULE:**
- VI. **PUBLIC COMMENT:**
- VII. **DIRECTOR'S COMMENTS:**

Administrative Matters:

- Staff to update Commission on FERC NOPR: Electric Storage Participation in Markets Operated by Regional Transmission Organizations and Independent System Operators, and possible Staff comments to FERC.
- Evidentiary Hearing, PSC Docket No. 16-1032, Chesapeake Utilities Corp., Environmental Rider Rate ("ERR"), Thursday, February 23, 2017, Dover Office.
- Commission Meeting, Thursday, February 23, 2017.

N O T I C E

Pursuant to 29 Del. C. §10004(e) (2), this Agenda may be changed to include additional items including executive sessions or to delete items that arise at the time of the Commission meeting.

Commission Staff or other parties may provide the Commission with Proposed Orders to help expedite the administrative process; however, the Commission will consider each Agenda item independently, determine any appropriate actions and may approve, revise or reject any Proposed Orders consistent with the Commission's determination.

During the Meeting, an executive session closed to the public may be called for certain purposes, including, but not limited to, strategy sessions to discuss pending or potential litigation, discussions of confidential documents, and certain personnel matters.

Items marked with an "***" were added following the initial Agenda posting. An explanation for their addition to the Agenda is included following the description of the particular item.

Interested persons should contact the Commission at 1-800-282-8574 (within Delaware) for information or questions about the Agenda. The Agenda may also be viewed, after posting, at the Commission's Internet website found at depssc.delaware.gov.