

Posted: June 13, 2017
4:00 PM
Donna Nickerson
REVISED: June 15, 2017
3:00 P.M.
Donna Nickerson
REVISED: June 19, 2017
10:30 A.M.
Elaine Cinque

BEFORE THE PUBLIC SERVICE COMMISSION

AGENDA

June 20, 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:

- [June 6, 2017](#)

III. CONSENT AGENDA:

1. RE: TIDEWATER UTILITIES, INC. APPLICATION FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY FOR THE "CONGRESS HALL" SUBDIVISION (FILED DECEMBER 29, 1991) - DNREC CERTIFICATE NO. 92-CPCN-12

IN THE MATTER OF THE APPLICATION OF TIDEWATER UTILITIES, INC. TO ABANDON WATER SERVICE PROVIDED UNDER A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY UNDER 26 DEL. C. SECTION 203A ("CONGRESS HALL") (FILED MARCH 28, 2017; AMENDED APRIL 7, 2017) - PSC DOCKET NO. 17-0155

Commission to consider:

- Application (PREVIOUSLY SENT)
- [Staff Memorandum](#)
- [Proposed Order No. 9069](#) which would grant Tidewater Utilities, Inc.'s request to abandon water service under its Certificate of Public Convenience and Necessity for the area described in 92-CPCN-12, formerly known as "Congress Hall" and currently known as a portion of "Bayberry South" in New Castle County, Delaware.

2. IN THE MATTER OF THE APPLICATION OF TIDEWATER UTILITIES, INC. FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO PROVIDE WATER SERVICES PURSUANT TO 26 DEL. C. §203C. ("SUSSEX 61810") (FILED JULY 19, 2010) - PSC DOCKET NO. 10-CPCN-21

IN THE MATTER OF THE APPLICATION OF TIDEWATER UTILITIES, INC. TO ABANDON WATER SERVICE PROVIDED UNDER A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY UNDER 26 DEL. C. SECTION 203A ("SUSSEX 61810" - PARCEL NO. 533-18.00-33.03) (FILED MARCH 28, 2017, AMENDED APRIL 7, 2017) - PSC DOCKET NO. 17-0156

Commission to consider:

- Application (PREVIOUSLY SENT)
- [Staff Memorandum](#)
- [Proposed order No. 9070](#) which would grant Tidewater Utilities, Inc.'s request to abandon a portion of its water services under its Certificate of Public Convenience and Necessity for one parcel of land in Sussex County, Delaware.

3. IN THE MATTER OF THE APPLICATION TIDEWATER UTILITIES, INC. FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO PROVIDE WATER SERVICES PURSUANT TO 26 DEL. C. §203C ("SUSSEX 61509") (FILED JULY 15, 2009) - PSC DOCKET NO. 09-CPCN-29

IN THE MATTER OF THE APPLICATION OF TIDEWATER UTILITIES, INC. TO ABANDON WATER SERVICE PROVIDED UNDER A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY UNDER 26 DEL. C. SECTION 203A ("SUSSEX 61509" - PARCEL NO. 533-18.00-47.01) (FILED MARCH 28, 2017) - PSC DOCKET NO. 17-0157

Commission to consider:

- Application (PREVIOUSLY SENT)
- [Staff Memorandum](#)
- [Proposed Order No. 9071](#) which would grant Tidewater Utilities, Inc.'s request to abandon a portion of its water service under its Certificate of Public Convenience and Necessity for one parcel of land in Sussex County, Delaware.

4. IN THE MATTER OF THE APPLICATION OF ARTESIAN WATER COMPANY, INC. FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO PROVIDE WATER SERVICES TO A TOTAL OF 119 PARCELS OF LAND LOCATED BETWEEN THE TOWNS OF MILLVILLE, FRANKFORD, SELBYVILLE, AND FENWICK ISLAND, SUSSEX COUNTY, DELAWARE ("ROUTE 54, PHASE 6") (FILED MAY 18, 2005; AMENDED AUGUST 31, 2005 - PSC DOCKET NO. 05-CPCN-16

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. ("SUSSEX 0409") (FILED JUNE 23, 2006, AMENDED AUGUST 26, 2009) - PSC DOCKET NO. 09-CPCN-26

IN THE MATTER OF THE APPLICATION OF ARTESIAN WATER COMPANY, INC. TO ABANDON UNDER 26 DEL. C. § 203A(d) WATER SERVICES PROVIDED UNDER TWO CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY ("ROUTE 54, PHASE 6" - PARCEL NOS. 533-19.00-35.00 AND 533-19.00-35.04) ("SUSSEX 0409" - PARCEL NO. 533-19.00-297.00) (FILED MARCH 31, 2017) - PSC DOCKET NO. 17-0166

Commission to consider:

- Application (PREVIOUSLY SENT)
- [Staff Memorandum](#)
- [Proposed Order No. 9072](#) which would grant Artesian Water Company, Inc.'s request to abandon a portion of its water services under two different Certificates of Public Convenience and Necessity for a total of three parcels of land in Sussex County, Delaware.

5. IN THE MATTER OF THE APPLICATION OF TIDEWATER UTILITIES, INC. FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO PROVIDE WATER SERVICES PURSUANT TO 26 DEL. C. §203C ("WEIDMAN") (FILED APRIL 24, 2017) - PSC DOCKET NO. 17-0262
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Commission to consider:

- Application (PREVIOUSLY SENT)
- [Staff Memorandum](#)
- [Proposed Order No. 9067](#) which would grant Tidewater's request for a Certificate of Public Convenience and Necessity to provide water service to one parcel of land in Sussex County, Delaware.

6. 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 ("NCC032217") (FILED APRIL 27, 2017) - PSC DOCKET NO. 17-0278

Commission to consider:

- Application (PREVIOUSLY SENT)
- [Staff Memorandum](#)
- [Proposed Order No. 9068](#) which would grant Artesian's request for a Certificate of Public Convenience and Necessity to provide water service to eighty-nine (89) parcels located in the Bayberry South development in New Castle County, Delaware.

7. IN THE MATTER OF THE JOINT APPLICATION OF WEST CORPORATION AND OLYMPUS HOLDINGS II, LLC FOR AUTHORITY TO TRANSFER INDIRECT CONTROL OF WEST SAFETY COMMUNICATIONS, INC. AND WEST TELECOM SERVICES, LLC. (FILED JUNE 9, 2017) - PSC DOCKET NO. 17-0432

Commission to consider:

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

IV. REGULAR AGENDA:

1. IN THE MATTER OF THE APPLICATION OF DELMARVA POWER & LIGHT COMPANY TO REVISE THE RATE FOR THE UTILITY FACILITY RELOCATION CHARGE TO RECOVER COSTS INCURRED IN CONNECTION WITH THE RELOCATION OF ELECTRIC UTILITY FACILITIES (FILED MAY 31, 2017)- PSC DOCKET NO. 17-0401

Commission to consider:

- [Application](#)
- [Staff Memorandum](#)
- [Proposed Order No. 9078](#) which would open the docket and approve the requested Utility Facility Relocation Charges effective July 1, 2017, subject to further review, revision, and refund, if appropriate.

2. IN THE MATTER OF THE APPLICATION OF DELMARVA POWER & LIGHT COMPANY TO REVISE THE RATE FOR THE UTILITY FACILITY RELOCATION CHARGE TO RECOVER COSTS INCURRED IN CONNECTION WITH THE RELOCATION OF GAS UTILITY FACILITIES (FILED MAY 31, 2017) - PSC DOCKET NO. 17-0402
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Commission to consider:

- [Application](#)
- [Staff Memorandum](#)
- [Proposed Order No. 9080](#) which would set a UFRC Charge rate effective July 1, 2017 subject to further review, revision, and refund, if appropriate.

3. IN THE MATTER OF THE APPLICATION OF TELEPORT COMMUNICATIONS AMERICA, LLC TO OBTAIN NUMBERING RESOURCES IN THE HOLLY OAK RATE CENTER (FILED JUNE 1, 2017) - PSC DOCKET NO. 17-0408
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Commission to consider:

- [Application](#)
- [Staff Memorandum](#)
- [Proposed Order No. 9077](#) which would grant Teleport Communication America, LLC's request for approval of Safety Valve relief.

4. IN THE MATTER OF THE APPLICATION OF TIDEWATER UTILITIES, INC. FOR THE APPROVAL OF THE SEMI-ANNUAL ADJUSTMENT TO THE DISTRIBUTION SYSTEM IMPROVEMENT ("DSIC") CHARGE PURSUANT TO 26 DEL. C. §314 (FILED NOVEMBER 19, 2015) - PSC DOCKET NO. 15-1576

IN THE MATTER OF THE APPLICATION OF TIDEWATER UTILITIES, INC. FOR THE APPROVAL OF THE SEMI-ANNUAL ADJUSTMENT TO THE DISTRIBUTION SYSTEM IMPROVEMENT ("DSIC") CHARGE PURSUANT TO 26 DEL. C. §314 (FILED MAY 20, 2015) - PSC DOCKET NO. 16-0656

Commission to consider:

- [Staff Memorandum](#)
- [Proposed Order No. 9081](#) closing Docket Nos. 15-1576 and 16-0656.
- ****REVISED CORRECTED MEMORANDUM AND PROPOSED ORDER NO. 9073 WHERE POSTED LATE DUE TO RECENTLY DISCOVERED ERRORS.**

5. IN THE MATTER OF THE APPLICATION OF TIDEWATER UTILITIES, INC. FOR THE APPROVAL OF THE SEMI-ANNUAL ADJUSTMENT TO THE DISTRIBUTION SYSTEM IMPROVEMENT ("DSIC") CHARGE PURSUANT TO 26 DEL. C. §314 (FILED MAY 19, 2017) - PSC DOCKET NO. 17-0330
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Commission to consider:

- Application (PREVIOUSLY SENT)
- [Staff Memorandum](#)
- [Proposed Order No. 9073](#) which would permit Tidewater Utilities, Inc.'s semi-annual DSIC rate adjustment to go into effect on July 1, 2017.

6. IN THE MATTER OF THE APPLICATION OF SUSSEX SHORES WATER COMPANY FOR THE APPROVAL OF THE SEMI-ANNUAL ADJUSTMENT TO THE DISTRIBUTION SYSTEM IMPROVEMENT ("DSIC") CHARGE PURSUANT TO 26 DEL. C. §314 (FILED NOVEMBER 30, 2015) - PSC DOCKET NO. 15-1602
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Commission to consider:

- Staff Memorandum
- ****Revised Memorandum (NOTE: WILL BE SENT AT A LATER DATE)**
- Proposed Order No. 9074 outlining refund plan of certain DSIC revenues, ceasing DSIC collection effective July 1, 2017, and formally closing Docket No. 15-1602.
- ****Revised Proposed Order No. 9074 (NOTE: WILL BE SENT AT A LATER DATE)**

7. IN THE MATTER OF THE APPLICATION OF SUEZ WATER DELAWARE, INC. CONCERNING THE SEMI-ANNUAL ADJUSTMENT TO THE DISTRIBUTION SYSTEM IMPROVEMENT CHARGE ("DSIC") EFFECTIVE JULY 1, 2017 PURSUANT TO 26 DEL. C. §314 (FILED MAY 25, 2017) - PSC DOCKET NO. 17-0370
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Commission to consider:

- [Application](#)
- [Staff Memorandum](#)
- [Proposed Order No. 9075](#) which would permit Suez Water Delaware, Inc.'s semi-annual DSIC rate adjustment to go into effect on July 1, 2017.

8. IN THE MATTER OF THE APPLICATION OF DELMARVA POWER AND LIGHT COMPANY FOR APPROVAL OF QUALIFIED FUEL CELL PROVIDER PROJECT TARIFFS (FILED MAY 30, 2017) - PSC DOCKET NO. 17-0369
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Commission to consider:

- Application (PREVIOUSLY SENT)
- ****Revised Application**
- Staff Memorandum
- ****THIS ITEM WAS REVISED AND ADDED LATE TO THE AGENDA AFTER THE INITIAL POSTING DUE TO CORRECTION TO ORIGINAL FILING.**
- Proposed Order No. 9079 which would approve Delmarva Power & Light Company's QFCP-RC Compliance Filing for the July 2017 rate.
****THIS ITEM WAS REVISED AND ADDED LATE TO THE AGENDA AFTER THE INITIAL POSTING DUE TO CORRECTION TO ORIGINAL FILING.**

V. HEARING SCHEDULE:

VI. PUBLIC COMMENT:

VII. DIRECTOR'S COMMENTS:

Administrative Matters:

- Staff to update the Commission on the status of the Artificial Island Project.
- Discussion of Chesapeake Utilities Corporation vs Delaware Public Service Commission (C.A. K17A-01-001 WLW) Superior Court's Order to Reverse and Vacate Order Nos. 8860 and 8878.
NOTE: THE COMMISSION MAY CONVENE IN EXECUTIVE SESSION UNDER 29 DEL. C. §10004(b)(4) FOR THE PURPOSE OF A STRATEGY SESSION WITH RESPECT OT POTENTIAL LITIGATION. THIS INFORMATION IS NOT A MATTER OF PUBLIC RECORD AS DEFINED IN 29 DEL. C. §10002(1)(9).
- Evidentiary Hearing, PSC Docket No. 16-0163, Suez Water Delaware Inc., June 29, 2017, 10:00 A.M., Carvel State Office Bldg., 3rd Floor Conference Room, 820 North French St., Wilmington, DE.
- Commission Meeting, Tuesday, July 11, 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.