

**A REGULAR MEETING
OF
THE PUBLIC SERVICE COMMISSION**

1. A Regular Meeting was called to order by Chair Dallas Winslow in the Hearing Room, 861 Silver Lake Boulevard, Dover, Delaware, on Tuesday, July 25, 2017, at 1:00 p.m. with the following Commissioners in attendance: Joann Conaway, Manubhai “Mike” C. Karia, Harold Gray, and Kim Drexler.

The following Staff members were in attendance: Robert Howatt, Matthew Hartigan, Thomas Walsh, Deputy Attorney General, James McC. Geddes, Esquire, Lisa Driggins, Constance McDowell, Pamela Knotts, Joseph DeLosa, John Farber, and Donna Nickerson.

2. Commissioner Drexler moved to approve the meeting minutes from the July 11, 2017 Commission meeting; this motion was seconded by Commissioner Karia; the motion carried unanimously.
3. CONSENT AGENDA ITEMS:

A motion was made by Commissioner Conaway to adopt the following Consent Agenda items:

IN THE MATTER OF THE INVESTIGATION INTO DELMARVA POWER & LIGHT COMPANY'S PLANNED DISTRIBUTION INFRASTRUCTURE INVESTMENTS OVER THE NEXT FIVE YEARS (OPENED APRIL 16, 2013) – PSC DOCKET NO. 13-152

Commission to consider Commission to consider proposed Order No. 9095.

IN THE MATTER OF THE APPLICATION OF FREEPOINT ENERGY SOLUTIONS LLC, FOR A CERTIFICATE TO PROVIDE ELECTRIC SUPPLY SERVICES WITHIN THE STATE OF DELAWARE (SUBMITTED: FEBRUARY 2, 2017; FILED JUNE 12, 2017) – PSC DOCKET NO. 17-0070

Commission to consider Staff Memorandum and proposed Order No. 9088.

IN THE MATTER OF THE APPLICATION OF DELMARVA POWER AND LIGHT COMPANY FOR APPROVAL OF QUALIFIED FUEL CELL PROVIDER PROJECT TARIFFS (FILED JUNE 28, 2017) – PSC DOCKET NO. 17-0474

Commission to consider Staff Memorandum and proposed Order No. 9089.

IN THE MATTER OF THE APPLICATION OF GTT AMERICAS, LLC, PIVOTAL GLOBAL CAPACITY, LLC AND GC PIVOTAL, LLC D/B/A GLOBAL CAPACITY FOR APPROVAL TO TRANSFER CONTROL OF GC PIVOTAL, LLC TO GTT AMERICAS,LLC. (FILED JULY 1, 2017) – PSC DOCKET NO. 17-0486

Commission to consider Staff Memorandum.

IN THE MATTER OF THE JOINT APPLICATION OF GTT AMERICAS, LLC AND GC PIVOTAL, LLC D/B/A GLOBAL CAPACITY FOR APPROVAL FOR GC PIVOTAL, LLC TO PARTICIPATE IN CERTAIN FINANCIAL ARRANGEMENTS. (FILED JULY 6, 2017) – PSC DOCKET NO. 17-0489

Commission to consider Staff Memorandum.

The motion was seconded by Commissioner Drexler; the motion carried unanimously.

4. REGULAR AGENDA ITEMS:

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) – PSC REGULATION DOCKET NO. 56

Thomas Walsh, Esquire, and Joseph DeLosa appeared on behalf of Staff.

Devera Scott, Esquire, appeared on behalf of Department of Natural Resources and Environmental Control.

Gary Myers, Esquire, appeared on his behalf.

Andrew Slater and Regina Iorii, Esquire, appeared on behalf of the Division of the Public Advocate.

A motion was made by Commissioner Conaway and seconded by Commissioner Karia to adopt Order No. 9090; motion carried 4-0. Commissioner Gray abstained.

A verbatim transcript was made of this proceeding.

IN THE MATTER OF THE APPLICATION OF COMCAST OF EASTERN SHORE, LLC FOR THE COMMENCEMENT OF PROCEEDINGS PURSUANT TO 47 U.S.C. §546 REGARDING THE RENEWAL OF THE CABLE TELEVISION FRANCHISE TO SERVE CERTAIN UNINCORPORATED AREAS OF SUSSEX COUNTY, DELAWARE (FILED MAY 8, 2017) – PSC DOCKET NO. 17-0345

Thomas Walsh, Esquire, and Pamela Knotts appeared on behalf of Staff.

A motion was made by Commissioner Drexler and seconded by Commissioner Gray to adopt Order No. 9092; motion carried unanimously.

A verbatim transcript was made of this proceeding.

IN THE MATTER OF THE APPLICATION OF COMCAST CABLEVISION OF NEW CASTLE COUNTY, LLC. D/B/A COMCAST CABLE, FOR THE COMMENCEMENT OF PROCEEDINGS PURSUANT TO 47 U.S.C. §546 REGARDING THE RENEWAL OF THE CABLE TELEVISION FRANCHISE TO SERVE CERTAIN UNINCORPORATED AREAS OF NORTHERN NEW CASTLE COUNTY, DELAWARE (FILED MAY 30, 2017) – PSC DOCKET NO. 17-0507

Thomas Walsh, Esquire, and Pamela Knotts appeared on behalf of Staff.

A motion was made by Commissioner Karia and seconded by Commissioner Gray to adopt Order No. 9093; motion carried unanimously.

A verbatim transcript was made of this proceeding.

IN THE MATTER OF THE APPLICATION OF DELMARVA POWER & LIGHT COMPANY FOR AN INCREASE IN ELECTRIC BASE RATES AND MISCELLANEOUS TARIFF CHANGES (FILED MAY 17, 2016) – PSC DOCKET NO. 16-0649

James McC. Geddes, Esquire, and Constance McDowell appeared on behalf of Staff.

Todd Goodman, Esquire, appeared on behalf of Delmarva Power & Light Company.

Andrew Slater and Regina Iorii, Esquire, appeared on behalf of the Division of the Public Advocate.

Chair Winslow made the decision to place this item on the next Commission Agenda in August so Staff and DPA can collaborate on a final Order on this matter.

A verbatim transcript was made of this proceeding.

IN THE MATTER OF DELMARVA POWER & LIGHT COMPANY FOR A CHANGE TO ITS TRANSMISSION SERVICE CHARGE FOR ITS ELECTRIC SUPPLY AND TRANSMISSION CUSTOMERS (FILED JUNE 22, 2017) – PSC DOCKET NO. 17-0450

Thomas Walsh, Esquire, and John Farber appeared on behalf of Staff.

Pamela Scott, Esquire, appeared on behalf of Delmarva Power & Light Company.

Andrew Slater and Regina Iorii, Esquire, appeared on behalf of the Division of the Public Advocate.

A motion was made by Commissioner Drexler and seconded by Commissioner Karia to adopt Order No. 9091; motion carried unanimously.

A verbatim transcript was made of this proceeding.

IN THE MATTER OF THE APPLICATION OF TIDEWATER ENVIRONMENTAL SERVICES, INC. FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO PROVIDE WASTEWATER SERVICES PURSUANT TO 26 *DEL. C.* §203D ("210 LAVINA STREET") (FILED JULY 7, 2017) – PSC DOCKET NO. 17-0490

Thomas Walsh, Esquire, and Lisa Driggins appeared on behalf of Staff.

Kirsten Higgins appeared on behalf of Tidewater Environmental Services, Inc.

A motion was made by Commissioner Conaway and seconded by Commissioner Gray to adopt Order No. 9096; motion carried unanimously.

A verbatim transcript was made of this proceeding.

IN THE MATTER OF A TECHNICAL REVIEW CONFERENCE OF POTENTIAL RATE DESIGNS FOR CONSIDERATION BY REGULATED UTILITIES AND ELECTRIC SUPPLIERS (FILED JULY 18, 2017) – PSC DOCKET NO. 17-0747

James McC. Geddes, Esquire, and Patricia Gannon appeared on behalf of Staff.

Todd Goodman, Esquire, appeared on behalf of Delmarva Power & Light Company.

Andrew Slater and Regina Iorii, Esquire, appeared on behalf of the Division of the Public Advocate.

A motion was made by Commissioner Conaway and seconded by Commissioner Karia to adopt Order No. 9094; motion carried unanimously.

A verbatim transcript was made of this proceeding.

5. DIRECTOR'S COMMENTS

Mr. Howatt introduced Joseph DeLosa, who updated the Commission regarding the Commission's participation in an appeal to the D.C. Circuit regarding the first order on Financial Transmission Rights ("FTRs").

Mr. Howatt introduced John Farber who discussed with the Commissioners the Latest development in the settlement discussions and proposed agreement-in-principal for FERC Docket No. ER17-1016.

A motion was made by Commissioner Karia and seconded by Commissioner Drexler to enter into Executive Session for the purpose of a strategy session with respect to potential litigation; the motion carried unanimously.

A motion was made by Commissioner Conaway and seconded by Commissioner Karia to exit out of Executive Session; the motion carried unanimously.

Upon returning from Executive Session, Commissioner Gray made a motion to accept Staff's recommendation to accept the Settlement Agreement as proposed and seconded by Commissioner Karia; motion carried unanimously.

A verbatim transcript was made of this proceeding.

Mr. Howatt announced that the next Commission Meeting will be held on Tuesday, August 8, 2017, at 1:00 P.M., in the Dover office.

There was no further business and the meeting adjourned approximately at 2:40 P.M.

Respectfully submitted,

/s/ Donna Nickerson
Secretary