

**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, March 27, 2018, at 1:00 p.m. with the following Commissioners in attendance: Joann T. Conaway, Harold B.Gray, Manubhai “Mike” C. Karia, and Kim Drexler.

The following Staff members were in attendance: Robert Howatt, Matthew Hartigan, Thomas Walsh, Deputy Attorney General, Robert Willard, Deputy Attorney General, Joseph DeLosa, Constance McDowell, Donna Nickerson, and Satin Hutchison.

Before start of business Chair Winslow announced this would be Mr. Howatt’s last Commission meeting and congratulated him on his upcoming retirement.

Chair Winslow also introduced Satin Hutchison as the new Administrative Specialist II at the Commission.

2. Commissioner Karia moved to approve the Public meeting minutes from the March 13, 2018 Commission meeting and seconded by Commissioner Conaway; the motion carried 3-0. Chair Winslow and Commission Gray abstained.

Commissioner Gray moved Docket No. 18-0133 from the Consent Agenda to the Regular Agenda to get clarification regarding the docket.

3. CONSENT AGENDA ITEMS:

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

IN THE MATTER OF SUNLIGHT ENERGY GROUP, LLC FOR A CERTIFICATE TO PROVIDE ELECTRIC SUPPLY SERVICES WITHIN THE STATE OF DELAWARE (SUBMITTED: NOVEMBER 22, 2017; FILED JANUARY 25, 2018) – PSC DOCKET NO. 17-1156

Commission to consider Staff Memorandum and proposed Order No. 9199.

IN THE MATTER OF THE APPLICATION OF DELMARVA POWER AND LIGHT COMPANY FOR APPROVAL OF QUALIFIED FUEL CELL PROVIDER PROJECT TARIFFS (FILED FEBRUARY 23, 2018) – PSC DOCKET NO. 18-0133

Commission to consider Staff Memorandum and proposed Order No. 9200.

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

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

Robert Willard, Esquire, appeared on behalf of the Commission.

Gary Myers appeared on behalf of himself.

David Stephenson appeared on behalf of Ceasar Rodney Institute (“CRI”).

Devera Scott, Esquire, Thomas Noyes, and Andrea Kreiner appeared on behalf of Dept. of Natural Resources and Environmental Control (“DNREC”).

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

A motion was made by Chair Winslow and seconded by Commissioner Conaway for an Evidentiary Hearing to hear additional comments from the parties regarding Regulation Docket No. 56 and to table Order No. 9197 until May; motion carried unanimously.

Chair Winslow stated that Mr. Myer’s chart using 2016/2017 Compliance filing information would not be permitted into record today.

A verbatim transcript was made of this proceeding.

IN THE MATTER OF THE APPLICATION OF DELMARVA POWER & LIGHT COMPANY, EXELON CORPORATION, PEPCO HOLDINGS, INC., PURPLE ACQUISITION CORPORATION, EXELON ENERGY DELIVERY COMPANY, LLC AND NEW SPECIAL PURPOSE ENTITY FOR APPROVALS UNDER THE PROVISIONS OF 26 *DEL. C.* §§ 215 AND 1016 (FILED JUNE 18, 2014) – PSC DOCKET NO. 14-193

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Thomas Walsh, Esquire, and Constance McDowell appeared on behalf of Staff.

Lindsay Orr, Esquire, and Heather Hall appeared on behalf of Delmarva Power & Light Company.

Andrews 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. 9198; motion carried unanimously.

A verbatim transcript was made of this proceeding.

IN THE MATTER OF THE APPLICATION OF ARTESIAN WATER COMPANY, INC. AND SLAUGHTER BEACH WATER COMPANY FOR APPROVAL OF AN ASSET PURCHASE AGREEMENT PURSUANT TO 26 *DEL. C.* §215 (FILED MARCH 19, 2018) – PSC DOCKET NO. 18-0178

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Robert Willard, Esquire, and Constance McDowell appeared on behalf of Staff.

Thomas Walsh, Esquire, appeared on behalf of the Commission.

David Spacht appeared on behalf of Artesian Water Company, Inc.

A motion was made by Commissioner Gray and seconded by Commissioner Drexler to adopt Order No. 9201 as submitted; motion carried unanimously.

A verbatim transcript was made of this proceeding.

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 ELECTRICITY 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) – PSC REGULATION DOCKET NO. 49

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Thomas Walsh, Esquire, appeared on behalf of Staff.

Lindsay Orr, Esquire, and Heather Hall appeared on behalf of Delmarva Power & Light Company.

A motion was made by Commissioner Drexler and seconded by Commissioner Conaway to adopt Order No. 9202; motion carried unanimously.

A verbatim transcript was made of this proceeding.

IN THE MATTER OF THE APPLICATION OF DELMARVA POWER AND LIGHT COMPANY FOR APPROVAL OF QUALIFIED FUEL CELL PROVIDER PROJECT TARIFFS (FILED FEBRUARY 23, 2018) – PSC DOCKET NO. 18-0133

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

Lindsay Orr, Esquire, and Heather Hall appeared on behalf of Delmarva Power & Light Company.

A motion was made by Commissioner Gray and seconded by Commissioner Karia to adopt Order No. 9200 adopting tariff as submitted; motion carried unanimously.

##### 5. DIRECTOR'S COMMENTS

Mr. Howatt introduced Joseph DeLosa to update the Commission on FERC issues. Mr. DeLosa informed the Commission on fast-start pricing and requested the Commission to take action regarding Staff's position.

A motion was made by Commissioner Gray and seconded by Commissioner Drexler to adopt Staff's position in this docket; the motion carried unanimously.

Mr DeLosa also updated the Commission on Supplemental Transmission planning and FERC's show-cause Order.

Mr. Howatt informed the Commission that April is Safe Dig Month and Ms. Utility should be called before digging.

Mr. Howatt announced that the next Commission meeting would be Thursday, April 12, 2018 at the Dover office.

Before the meeting ended, Chair Winslow thank Mr. Howatt on his five (5) years as the PSC's Director and wished him well on his retirement.

Chair Winslow and the rest of the Commissioners presented Mr. Howatt with a proclamation of his service with the State of Delaware.

Mr. Howatt ended the meeting thanking the Staff and the Commission supporting him through his service with the State.

Mr. Thomas Noyes of Department of Natural Resources and Environmental Control congratulated Mr. Howatt on his retirement and expressed his pleasure working with him.

There was no further business and the meeting adjourned approximately at 2:11 P.M.

Respectfully submitted,

/s/ Donna Nickerson

Secretary