

**REGULAR MEETING
OF
THE PUBLIC SERVICE COMMISSION**

1. A Regular Meeting was called to order by Chairman Dallas Winslow in the Hearing Room, Public Service Commission, 861 Silver Lake Boulevard, Dover, Delaware, on Tuesday, June 18, 2019, at 1:00 p.m. with the following Commissioners in attendance: Joann Conaway, Harold Gray, Manubhai “Mike” C. Karia, and Kim Drexler.

The following Staff members were in attendance: Dr. Raj Barua, Matthew Hartigan, Constance McDowell, Donna Nickerson, Samantha Hemphill, Patricia Gannon, Thomas Walsh, Esq., Deputy Attorney General, and Robert Willard, Esq., Deputy Attorney General.

Commissioner Conaway moved to approve the meeting minutes from the June 4, 2019 meeting; the motion was seconded by Commissioner Karia and approved 5-0.

Before the meeting began, Chairman Winslow introduced and welcomed Wayne Ericksen as the new Engineer IV to the PSC. Mr. Ericksen will be replacing Jerry Platt and will be taking over the responsibilities of the Pipeline Safety Program.

2. CONSENT AGENDA ITEMS

There were no objections to Chairman Winslow’s motion to remove Regular Agenda Item Nos. 3,4,5,6,7,8,9,10 and 11, which were all DSIC’s items, to the Consent Agenda.

A motion was made by Commissioner Karia to adopt the following Consent Agenda items as presented:

IN THE MATTER OF THE APPLICATION OF ARTESIAN WATER COMPANY, INC. FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO PROVIDE WATER SERVICE PURSUANT TO 26 *DEL. C.* §203C. (FILED APRIL 11, 2019) (“BEARHOLE140.00, BEARHOLE144.00, BEARHOLE257.00, DEERRUN40.01, & DEERRUN271.00”) (FILED APRIL 11, 2019) – PSC DOCKET NO. 19-0225

- Commission considered Staff Memorandum and Proposed Order No. 9414.

IN THE MATTER OF THE APPLICATION OF ARTESIAN WATER COMPANY, INC. FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO PROVIDE WATER SERVICE PURSUANT TO 26 *DEL. C.* §203C. (“CHOPTANK109.00”) (FILED APRIL 18, 2019) – PSC DOCKET NO. 19-0234

- Commission considered Staff Memorandum and Proposed Order No. 9415.

IN THE MATTER OF THE APPLICATION OF ARTESIAN WATER COMPANY, INC. FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO PROVIDE WATER SERVICE PURSUANT TO 26 *DEL. C.* §203C. (“LAGOONA40.00, SOUTHBETHANY303.00, & VINESCREEK15.00”) (FILED APRIL 18, 2019) – PSC DOCKET NO. 19-0235

- Commission considered Staff Memorandum and Proposed Order No. 9410.

IN THE MATTER OF THE APPLICATION OF ARTESIAN WATER COMPANY, INC. FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO PROVIDE WATER SERVICE PURSUANT TO 26 *DEL. C.* §203C. (“FAWN311.00, WHITETAIL316.00, & WHITETAIL319.00”) (FILED APRIL 18, 2019) – PSC DOCKET NO. 19-0236

- Commission considered Staff and proposed Order No. 9417.

IN THE MATTER OF THE APPLICATION OF ARTESIAN WATER COMPANY, INC. FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO PROVIDE WATER SERVICE PURSUANT TO 26 *DEL. C.* §203C. (“HARMONY013”) (FILED APRIL 25, 2019) – PSC DOCKET NO. 19-0277

- Commission to consider Staff Memorandum and proposed Order No. 9416.

IN THE MATTER OF THE APPLICATION OF DELMARVA POWER AND LIGHT COMPANY FOR APPROVAL OF QUALIFIED FUEL CELL PROVIDER PROJECT TARIFFS (FILED MAY 23, 2019) – PSC DOCKET NO. 19-0338

- Commission to consider Staff Memorandum and proposed Order No. 9403.

IN THE MATTER OF THE APPLICATION OF TIDEWATER UTILITIES, INC. FOR THE APPROVAL OF THE SEMI-ANNUAL ADJUSTMENT TO THE DISTRIBUTION SYSTEM IMPROVEMENT CHARGE (“DSIC”) PURSUANT TO 26 *DEL. C.* § 314 (FILED NOVEMBER 20, 2017; AMENDED DECEMBER 12, 2017) - PSC DOCKET NO. 17-1148

IN THE MATTER OF THE APPLICATION OF TIDEWATER UTILITIES, INC. FOR THE APPROVAL OF THE SEMI-ANNUAL ADJUSTMENT TO THE DISTRIBUTION SYSTEM IMPROVEMENT CHARGE (“DSIC”) PURSUANT TO 26 *DEL. C.* § 314 (B) (5) (FILED MAY 24, 2018) – PSC DOCKET NO. 18-0346

- Commission to consider Staff Memorandum and proposed Order No. 9411.

IN THE MATTER OF APPLICATION OF TIDEWATER UTILITIES, INC. FOR THE APPROVAL OF THE SEMI-ANNUAL ADJUSTMENT TO THE DISTRIBUTION SYSTEM IMPROVEMENT CHARGE (“DSIC”) PURSUANT TO 26 *DEL. C.* § 314 (B) (5) (FILED MAY 23, 2019) – PSC DOCKET NO. 19-0336

- Commission to consider Staff Memorandum and proposed Order No. 9409.

IN THE MATTER OF THE APPLICATION OF ARTESIAN WATER COMPANY, INC. FOR THE APPROVAL OF THE SEMI-ANNUAL ADJUSTMENT TO THE

DISTRIBUTION SYSTEM IMPROVEMENT (“DSIC”) CHARGE PURSUANT TO 26 *DEL. C.* §314 (FILED MAY 31, 2019) – PSC DOCKET NO. 18-0474

- Commission to consider Staff Memorandum and proposed Order No. 9412.

IN THE MATTER OF THE APPLICATION OF ARTESIAN WATER COMPANY, INC. FOR AUTHORITY TO IMPLEMENT A DSIC RATE EFFECTIVE JULY 1, 2019 PURSUANT TO 26 *DEL. C.* §314 (FILED MAY 29, 2019) – PSC DOCKET NO. 19-0349

- Commission to consider Staff Memorandum and proposed Order No. 9404.

IN THE MATTER OF THE APPLICATION OF CHESAPEAKE UTILITIES CORPORATION FOR APPROVAL TO IMPLEMENT A DISTRIBUTION SYSTEM IMPROVEMENT CHARGE TO BE EFFECTIVE JULY 1, 2019 (FILED MAY 31, 2019 – PSC DOCKET NO. 19-0357

- Commission to consider Staff Memorandum and proposed Order No. 9405.

IN THE MATTER OF THE APPLICATION OF DELMARVA POWER & LIGHT COMPANY FOR AUTHORITY TO IMPLEMENT A DISTRIBUTION SYSTEM IMPROVEMENT CHARGE (“DSIC”) RATE FOR NATURAL GAS DISTRIBUTION EFFECTIVE JULY 1, 2019 PURSUANT TO 26 *DEL. C.* § 315 (FILED MAY 31, 2019) – PSC DOCKET NO. 19-0358

- Commission to consider Staff Memorandum and proposed Order No. 9406.

IN THE MATTER OF THE APPLICATION OF DELMARVA POWER & LIGHT COMPANY FOR AUTHORITY TO IMPLEMENT A DISTRIBUTION SYSTEM IMPROVEMENT CHARGE (“DSIC”) RATE FOR ELECTRIC DISTRIUBTION EFFECTIVE JULY 1, 2019 PURSUANT TO 26 *DEL. C.* § 315 (FILED MAY 31, 2019) – PSC DOCKET NO. 19-0359

- Commission to consider Staff Memorandum and proposed Order No. 9407.

IN THE MATTER OF THE APPLICATION OF SUEZ WATER DELAWARE INC. CONCERNING THE SEMI-ANNUAL ADJUSTMENT TO THE DISTRIBUTION SYSTEM IMPROVEMENT CHARGE (“DSIC”) EFFECTIVE JANUARY 1, 2018 PURSUANT TO 26 *DEL. C.* §314 (FILED NOVEMBER 27, 2017; AMENDED DECEMBER 7, 2017) – PSC DOCKET NO. 17-1158

- Commission to consider Staff Memorandum and proposed Order No. 9413.

IN THE MATTER OF SUEZ WATER DELAWARE CONCERNING THE SEMI-ANNUAL ADJUSTMENT TO THE DISTRIBUTION SYSTEM IMPORVEMENT CHARGE (“DSIC”) EFECTIVE JULY 1, 2019 PURSUANT TO *DEL. C.* §314 (FILED MAY 31, 2019) – PSC DOCKET NO. 19-0360

- Commission to consider Staff Memorandum and proposed Order No. 9408.

The motion was seconded by Commissioner Gray and approved 5-0.

3. REGULAR AGENDA ITEMS

IN THE MATTER OF THE REVIEW OF CUSTOMER CHOICE IN THE STATE OF DELAWARE (FILED DECEMBER 23, 2015) - PSC DOCKET NO. 15-1693

- Thomas Walsh, Esq. appeared on behalf of Staff.
- Lindsay Orr, Esq., and Diane Goff appeared on behalf of Delmarva Power & Light Company.
- Andrew Slater appeared on behalf of the Division of the Public Advocate.
- A motion was made by Commissioner Gray and seconded by Commissioner Drexler approving proposed Order No. 9384; the motion was approved 5-0.
- A verbatim transcript was made of this proceeding.

IN THE MATTER OF THE APPLICATION OF VERIZON DELAWARE, 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 NEW CASTLE, KENT, AND SUSSEX COUNTIES (FILED APRIL 29, 2019) – PSC DOCKET NO. 19-0314

- Robert Willard, Esq., and Patricia Gannon appeared on behalf of Staff.
- Andrew Slater appeared on behalf of the Division of the Public Advocate.
- A motion was made by Commissioner Conaway and seconded by Commissioner Drexler to approved proposed Order No. 9402 as presented; the motion was approved 5-0.
- A verbatim transcript was made of this proceeding.

IN THE MATTER OF THE APPLICATION OF DELMARVA POWER & LIGHT COMPANY FOR APPROVAL OF A PROGRAM FOR PLUG IN VEHICLE CHARGING (FILED OCTOBER 19, 2017) - PSC DOCKET NO. 17-1094

- Thomas Walsh, Esq. appeared on behalf of Staff.
- Lindsay Orr, Esq. appeared on behalf of Delmarva Power & Light Company.
- Jameson Tweedie, Esq. appeared on behalf of the Dept. of Natural Resources' Division of Climate, Coastal, & Energy.
- Andrew Slater appeared on behalf of the Division of the Public Advocate.
- A motion was made by Chairman Winslow and seconded by Commission Gray to deny DPA's motion for rehearing and that the motion from the June 4th's Commission meeting, Order No. 9357, remain the same with the addition of today's comments from the Commissioners for the record now being made; the motion was approved 5-0.
- A verbatim transcript was made of this proceeding.

Before proceeding to the next item, Chairman Winslow thanked all the parties for working hard to get this item on the Agenda.

IN THE MATTER OF THE DELAWARE PUBLIC SERVICE COMMISSION'S
JURISDICTION OVER ELECTRIC VEHICLE CHARGING STATIONS AND
SERVICE PROVIDERS (FILED JUNE 11, 2019) – PSC DOCKET NO. 19-0377

- Thomas Walsh, Esq., Patricia Gannon, and Dr. Rajnish Barua appeared on behalf of Staff.
- Andrew Slater appeared on behalf of the Division of the Public Advocate.
- A motion was made by Commissioner Gray and seconded by Commissioner Drexler to approve proposed Order No. 9418; the motion was approved 5-0.

4. DIRECTOR'S COMMENTS

- Dr. Barua announced that there would be an Evidentiary Hearing regarding PSC Docket No. 17-0985, Delmarva Power & Light Company, Energy Efficiency Program, July 10, and 11, 2019, 10:00 A.M. at the Dover office.
- Dr. Barua also announced that the July 2, 2019 Commission meeting was cancelled and the next Commission meeting would be on Tuesday, July 16, 2019.
- Dr. Barua announced that the Commission would go into Executive Session with the following in attendance: Chairman and Commissioners, Dr. Barua, Matthew Hartigan, Constance McDowell, Donna Nickerson, Dr. Courtney Stewart, Deputy Cabinet Secretary, and Thomas Walsh, Esq., under 29 *Del. C.* §10004 (b) (4) for purposes of discussing legal strategy or receiving legal advice/update of a privileged or confidential nature.
- Before making the motion to go into Executive Session, Commissioner Gray gave kudos to Joshua Bowman for the multiple DSIC dockets he handled on today's agenda, the motion was seconded by Commission Conaway; motion was approved 5-0.
- A motion to exit Executive Session was made by Chairman Winslow and seconded by Commissioner Conaway; the motion was approved 5-0.
- A motion was made by Chairman Winslow and seconded by Commissioner Drexler to accept the litigation strategy as suggested by Deputy Secretary Stewart, which was to have the Department of Human Relations ("DHR") handle the litigation strategy and include Dr. Barua and Mr. Walsh in all aspects of DHR's filings and meetings; the motion was approved 5-0.

This meeting was adjourned at approximately at 2:15 P.M.

Respectfully submitted,

/s/Donna Nickerson

Secretary