

Posted: October 15, 2019  
Donna Nickerson  
4:30 P.M.

**BEFORE THE PUBLIC SERVICE COMMISSION**

**AGENDA**

**October 22, 2019**

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

**I.** Call Meeting to Order – **1:00 P.M.**, Dover

**II. READING OF THE MEETING MINUTES:**

1. October 8, 2019 – Public Session
2. October 8, 2019 – Executive Session

**III. CONSENT AGENDA:**

1. IN THE MATTER OF RPA ENERGY INC. D/B/A GREEN CHOICE ENERGY APPLICATION FOR ELECTRIC SUPPLIER CERTIFICATION (SUBMITTED: MAY 8, 2019; FILED SEPTEMBER 9, 2019) – PSC DOCKET NO. 19-0312

Commission to consider:

- (a) Application (PREVIOUSLY SENT TO COMMISSIONERS)
- (b) [Staff Memorandum](#)
- (c) [Proposed Order No. 9481](#) which approves certification to RPA Energy Inc. d/b/a Green Choice Energy to provide electric supply services in the State of Delaware.

2. IN THE MATTER OF THE APPLICATION OF TALKIE COMMUNICATIONS, INC. FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO PROVIDE RESOLD FACILITIES-BASED LOCAL EXCHANGE AND INTRALATA INTEREXCHANGE SERVICE IN THE STATE OF DELAWARE (SUBMITTED: AUGUST 6, 2019; FILED SEPTEMBER 11, 2019) – PSC DOCKET NO. 19-0454

Commission to consider:

- (a) [Application](#)
- (b) [Staff Memorandum](#)
- (c) [Proposed Order No. 9475](#) which would grant Talkie Communications, Inc.'s request for a Certificate of Public Convenience and Necessity to provide local exchange and intrastate telecommunications services in the State of Delaware.

3. IN THE MATTER OF THE APPLICATION OF TIME WARNER CABLE BUSINESS, LLC FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO PROVIDE INTEREXCHANGE TELECOMMUNICATIONS SERVICES IN THE STATE OF DELAWARE (SUBMITTED: JULY 24, 2019; FILED AUGUST 12, 2019) – PSC DOCKET NO. 19-0469

Commission to consider:

- (a) Application (PREVIOUSLY SENT TO COMMISSIONERS)
  - (b) [Staff Memorandum](#)
  - (c) [Proposed Order No. 9482](#) which would grant Time Warner Cable Business, LLC’s request for a Certificate of Public Convenience and Necessity to provide intrastate telecommunications services in the State of Delaware.
4. 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. (“FRANKFORD30.02, FRANKFORD46.00, FRANKFORD5.00, SUSSEX25.00”) (FILED AUGUST 22, 2019) – PSC DOCKET NO. 19-0532

Commission to consider:

- (a) Application (PREVIOUSLY SENT TO COMMISSIONERS)
  - (b) [Staff Memorandum](#)
  - (c) [Proposed Order No. 9487](#) which would grant Artesian Water Company, Inc.’s request for a Certificate of Public Convenience and Necessity to provide water services to three parcels of land in Sussex County, Delaware.
5. 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. (“MOORE37.00”) (FILED AUGUST 22, 2019) - PSC DOCKET NO. 19-0550

Commission to consider:

- (a) Application (PREVIOUSLY SENT TO COMMISSIONERS)
  - (b) [Staff Memorandum](#)
  - (c) [Proposed Order No. 9488](#) which would grant Artesian Water Company, Inc.’s request for a Certificate of Public Convenience and Necessity to provide water services 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 SERVICE PURSUANT TO 26 DEL. C. §203C. (“CHOPTANK148.00”) (FILED AUGUST 22, 2019) – PSC DOCKET NO. 19-0551

Commission to consider:

- (a) Application (PREVIOUSLY SENT TO COMMISSIONERS)

- (b) [Staff Memorandum](#)
  - (c) [Proposed Order No. 9489](#) which would grant Artesian Water Company, Inc.'s request for a Certificate of Public Convenience and Necessity to provide water services to one parcel of land in New Castle County, Delaware.
7. IN THE MATTER OF THE APPLICATION OF DELMARVA POWER AND LIGHT COMPANY FOR APPROVAL OF QUALIFIED FUEL CELL PROVIDER PROJECT TARIFFS (FILED SEPTEMBER 25, 2019) – PSC DOCKET NO. 19-0610

Commission to consider:

- (a) Application (PREVIOUSLY SENT TO COMMISSIONERS)
  - (b) [Staff Memorandum](#)
  - (c) [Proposed Order No. 9483](#) for approval of Delmarva Power & Light Company's QFPCP-RC Compliance filing for the November 2019 rate.
8. IN THE MATTER OF THE APPLICATION OF SUEZ WATER DELAWARE INC FOR A GENERAL INCREASE IN RATES AND A REVISION TO ITS GENERAL TARIFF (FILED SEPTEMBER 27, 2019) – PSC DOCKET NO. 19-0615

Commission to consider:

- (a) [Proposed Order No. 9490](#) granting pro hac vice admission to Courtney L. Schultz, Esq.

**IV. REGULAR AGENDA:**

1. IN THE MATTER OF THE ADOPTION OF RULES TO ESTABLISH AN EXCAVATION DAMAGE PREVENTION PROGRAM (OPENED OCTOBER 22, 2019) – PSC REGULATION DOCKET NO. 8002

Commission to consider:

- (a) [Proposed Order No. 9471](#) to promulgate regulations governing the enforcement of the Underground Utility Damage Prevention and Safety Act.
2. IN THE MATTER OF THE PETITION OF THE PUBLIC SERVICE COMMISSION STAFF AND DELAWARE DIVISION OF THE PUBLIC ADVOCATE TO ESTABLISH A REGULATION FOR DISTRIBUTION SYSTEM INVESTMENT PLANS FOR DELAWARE ELECTRIC AND NATURAL GAS UTILITIES (FILED JULY 2, 2018) – PSC DOCKET NO. 18-0935

Commission to consider:

- (a) Proposed Order No. 9485 approving publication of a proposed Regulation for distribution system improvement plans for electric utilities. ( [Part 1](#) ) ( [Part 2](#) )
3. IN THE MATTER OF THE APPLICATION OF LEWES BOARD OF PUBLIC WORKS FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

TO PROVIDE WATER SERVICES PURSUANT TO 26 DEL. C. §203C (FILED JULY 9, 2019) – PSC DOCKET NO. 19-0444

Commission to consider:

- (a) [Proposed Order No. 9470](#) memorializing Commission’s vote at its October 8, 2019 meeting and granting Lewes Board of Public Works’ request for 30-day extension of time.

- 4. IN THE MATTER OF THE APPLICATION OF DELMARVA POWER & LIGHT COMPANY'S 2019 TRANSMISSION FORMULA RATE (FILED AUGUST 8, 2019) - PSC DOCKET NO. 19-0502

Commission to consider:

- (a) [Staff Memorandum](#)
- (b) [Proposed Order No. 9484](#) approving Delmarva Power & Light Company’s formula rate.

- 5. IN THE MATTER OF THE APPLICATION OF SUEZ WATER DELAWARE INC FOR A GENERAL INCREASE IN RATES AND A REVISION TO ITS GENERAL TARIFF (FILED SEPTEMBER 27, 2019) – PSC DOCKET NO. 19-0615

Commission to consider:

- (a) [Proposed Order No. 9491](#) opening SUEZ Water’s rate case, suspending rates, designating a hearing examiner, setting the deadline for intervention petitions, and directing the company to publish notice.

**V. HEARING SCHEDULE:**

**VI. PUBLIC COMMENT:**

**VII. DIRECTOR’S COMMENTS:**

- (a) Imagine a Day Without Water
- (b) Next Commission Meeting – November 5, 2019
- (c) Other Comments

**NOTICE**

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 [dep.sc.delaware.gov](http://dep.sc.delaware.gov).