

**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, October 22, 2019, at 1:00 p.m. with the following Commissioners in attendance: Manubhai “Mike” C. Karia, Kim Drexler, and Harold Gray. Commissioner Joann Conaway was not in attendance.

The following Staff members were in attendance: Dr. Raj Barua, Matthew Hartigan, Constance McDowell, Donna Nickerson, Samantha Hemphill, Kimitar Kozhuharov, Deputy Attorneys General William O’Brien, Esq., and Thomas Walsh, Esq.

Commissioner Gray moved to approve the Public meeting minutes as submitted from the October 8, 2019 meeting; the motion was seconded by Commissioner Karia and approved 3-0. Commissioner Drexler abstained.

Commissioner Gray moved to approved the Executive meeting minutes as submitted from the October 8, 2019 meeting; the motion was seconded by Commissioner Karia and approved 3-0. Commissioner Drexler abstained.

2. CONSENT AGENDA ITEMS

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

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 considered Staff Memorandum and Proposed Order No. 9481.

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 considered Staff Memorandum and Proposed Order No. 9475.

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 considered Staff Memorandum and Proposed Order No. 9482.

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 considered Staff Memorandum and Proposed Order 9487.

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 considered Staff Memorandum and Proposed Order 9488.

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 considered Staff Memorandum and Proposed Order No. 9489.

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 considered Staff Memorandum and Proposed Order No. 9483.

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 considered Staff Memorandum and Proposed Order No. 9490.

The motion was seconded by Commissioner Gray and approved 4-0.

Commissioner Gray gave Kudos to Renay Edge for all the hard work she did on the Consent Agenda.

### 3. REGULAR AGENDA ITEMS

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

- William O’Brien, Esq. appeared on behalf of Staff.
- A motion was made by Commissioner Karia and seconded by Commissioner Drexler approving proposed Order No. 9471; the motion was approved 4-0.
- A verbatim transcript was made of this proceeding.

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

- Thomas Walsh, Esq., and Lisa Driggins appeared on behalf of Staff.
- Lindsay Orr, Esq. appeared on behalf of Delmarva Power & Light Company.
- Regina Iorii, Esq. appeared on behalf of the Division of the Public Advocate
- A motion was made by Commissioner Drexler and seconded by Commissioner Gray approving proposed Order No. 9485 as presented; the motion was approved 4-0.
- A verbatim transcript was made of this proceeding.

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

- Thomas Walsh, Esq. appeared on behalf of Staff.
- A motion was made by Commissioner Karia and seconded by Commissioner Gray approving proposed Order No. 9470; the motion was approved 3-0. Commissioner Drexler abstained.
- A verbatim transcript was made of this proceeding.

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

- Thomas Walsh, Esq. and Dimitar Kozhuharov appeared on behalf of Staff.
- Lindsay Orr, Esq. appeared on behalf of Delmarva Power & Light Company.
- Regina Iorii, Esq. 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. 9484 as submitted; the motion was approved 4-0.

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

- William O'Brien, Esq. appeared on behalf of Staff.
- Pamela Scott, Esq., Saul Ewing Arnestein & Lehr LLP, appeared on behalf of Suez Water Delaware Inc.
- Regina Iorii, Esq., appeared on behalf of the Division of Public Advocate.
- A motion was made by Commissioner Karia and seconded by Commissioner Drexler approving proposed Order No. 9491; the motion was approved 4-0.

4. DIRECTOR'S COMMENTS

- Chairman Winslow introduced James Starnes who will be joining the PSC as the new Paralegal.
- Dr. Barua introduced Samantha Hemphill who announced that the PSC was running a social media campaign and also would be on the PSC's website regarding "Imagine a Day Without Water."
- Dr. Barua announced that the next Commission meeting would be Tuesday, November 5, 2019.

This meeting was adjourned at approximately at 1:33 P.M.

Respectfully submitted,

/s/Donna Nickerso  
Secretary