

Posted: December 5, 2019

Donna Nickerson

4:30 P.M.

REVISED: December 6, 2019

Donna Nickerson

10:00 A.M.

BEFORE THE PUBLIC SERVICE COMMISSION

AGENDA

December 12, 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:**

III. **CONSENT AGENDA:**

1. IN THE MATTER OF THE PETITION OF THE DELAWARE PUBLIC SERVICE COMMISSION STAFF TO OPEN A DOCKET REGARDING THIRD PARTY ELECTRIC SUPPLIER CONSOLIDATED BILLING (FILED MAY 22, 2019) – PSC DOCKET NO. 19-0333

Commission to consider:

- (a) [Proposed Order No. 9518 granting pro hac vice admission to Brian R. Greene, Esq.](#)
- (b) [Proposed Order No. 9519 granting pro hac vice admission to Eric J. Wallace, Esq.](#)
- (c) [Proposed Order No. 9517 granting the intervention petition of Delmarva Power & Light Company; the Retail Energy Supply Association; Direct Energy Services, LLC; ENGIE Resources, LLC; NRG Energy, Inc. and Vistra Energy Corp.](#)

2. IN THE MATTER OF APPLICATION FROM PARK POWER, LLC FOR A CERTIFICATE TO PROVIDE ELECTRIC SUPPLY SERVICES WITHIN THE STATE OF DELAWARE (SUBMITTED: SEPTEMBER 19, 2019; FILED NOVEMBER 6, 2019) – PSC DOCKET NO. 19-0606

Commissioner to consider:

- (a) Application (PREVIOUSLY SENT TO COMMISSIONERS)
- (b) [Staff Memorandum](#)
- (c) [Proposed Order No. 9507](#) which approves certification of Park Power, LLC to provide electric supply services in the State of Delaware.

3. 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. (“SUSSEX38.00”) (FILED OCTOBER 17, 2019) - PSC DOCKET NO. 19-0709

Commission to consider:

- (a) Application (PREVIOUSLY SENT TO COMMISSIONERS)
- (b) [Staff Memorandum](#)
- (c) [Proposed Order No. 9509](#) which would grant Artesian Water Company, Inc.'s request for a Certificate of Public Convenience and Necessity to provide water services to thirteen parcels of land located in Sussex County, Delaware.

4. IN THE MATTER OF THE APPLICATION OF ARTESIAN WATER COMPANY, INC. FOR AUTHORITY TO IMPLEMENT A DSIC RATE EFFECTIVE JANUARY 1, 2020 PURSUANT TO 26 *DEL. C.* § 314 (FILED NOVEMBER 15, 2019) – PSC DOCKET NO. 19-0747

Commission to consider:

- (a) Application (PREVIOUSLY SENT TO COMMISSIONERS)
- (b) [Staff Memorandum](#)
- (c) [Proposed Order No. 9510](#) which would permit Artesian Water Company, Inc.'s semi-annual DSIC rate adjustment to go into effect on January 1, 2020.

5. IN THE MATTER OF THE APPLICATION OF SANDY RIDGE ENTERPRISES, INC., WASTEWATER UTILITIES, INC., AND DIAMOND STATE SUSTAINABILITY CORPORATION FOR THE APPROVAL OF A REAL ESTATE AND ASSET PURCHASE AND SALE AGREEMENT FOR THE SANDY RIDGE WASTEWATER SYSTEM PURSUANT TO 26 *DEL. C.* § 215 (FILED NOVEMBER 15, 2019) – PSC DOCKET NO. 19-0754

Commission to consider:

- (a) [Proposed Order No. 9520](#) requesting to extend the decision period.

6. IN THE MATTER OF THE APPLICATION OF DELMARVA POWER AND LIGHT COMPANY FOR APPROVAL OF QUALIFIED FUEL CELL PROVIDER PROJECT TARIFFS (FILED NOVEMBER 19, 2019) – PSC DOCKET NO. 19-0775

Commission to consider:

- (a) Application (PREVIOUSLY SENT TO COMMISSIONERS)
- (b) [Staff Memorandum](#)
- (c) [Proposed Order No. 9508](#) which would approve Delmarva Power & Light Company's QFCP-RC Compliance filing for the January 2020 rate.

7. IN THE MATTER OF THE APPLICATION OF CHESAPEAKE UTILITIES CORPORATION FOR APPROVAL OF THE SEMI-ANNUAL ADJUSTMENT TO THE DISTRIBUTION SYSTEM IMPROVEMENT CHARGE TO BE EFFECTIVE JANUARY 1, 2020 (FILED NOVEMBER 22, 2019) – PSC DOCKET NO. 19-0781

Commission to consider:

- (a) Application (PREVIOUSLY SENT TO COMMISSIONERS)
- (b) [Staff Memorandum](#)

(c) [Proposed Order No. 9512](#) which would permit Chesapeake Utilities Corporation's semi-annual DSIC rate adjustment to go into effect on January 1, 2020.

8. IN THE MATTER OF CHESAPEAKE UTILITIES CORPORATION EXCESS DEFERRED INCOME TAX SUR-CREDIT TO BE EFFECTIVE JANUARY 1, 2020 (FILED NOVEMBER 22, 2019) – PSC DOCKET NO. 19-0782

Commission to consider:

- (a) [Application](#)
(b) [Staff Memorandum](#)
(c) [Proposed Order No. 9521](#) approving Chesapeake Utilities Corporation's excess deferred tax sur-credit rates effective January 1, 2020 subject to audit true-up.

9. 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 DEL.C. § 314 (b)(5) (FILED NOVEMBER 22, 2019) – PSC DOCKET NO. 19-0790

Commission to consider:

- (a) Application (PREVIOUSLY SENT TO COMMISSIONERS)
(b) [Staff Memorandum](#)
(c) [Proposed Order No. 9511](#) which would permit Tidewater Utilities, Inc.'s semi-annual DSIC rate adjustment to go into effect on January 1, 2020.

10. IN THE MATTER OF THE APPLICATION OF DELMARVA POWER & LIGHT COMPANY, INC. FOR AUTHORITY TO IMPLEMENT A DSIC RATE FOR NATURAL GAS DISTRIBUTION EFFECTIVE ON JANUARY 1, 2020 PURSUANT TO 26 DEL. C. § 315 (FILED NOVEMBER 26, 2019) – PSC DOCKET NO. 19-0791

Commission to consider:

- (a) Application (PREVIOUSLY SENT TO COMMISSIONERS)
(b) [Staff Memorandum](#)
(c) [Proposed Order No. 9513](#) which would permit Delmarva Power & Light Company, Inc.'s semi-annual DSIC rate adjustment to go into effect on January 1, 2020.

11. IN THE MATTER OF THE APPLICATION OF DELMARVA POWER & LIGHT COMPANY, INC. FOR AUTHORITY TO IMPLEMENT A DSIC RATE FOR ELECTRIC DISTRIBUTION EFFECTIVE JANUARY 1, 2020 PURSUANT TO 26 DEL. C. § 315 (FILED NOVEMBER 26, 2019) – PSC DOCKET NO. 19-0792

Commission to consider:

- (a) Application (PREVIOUSLY SENT TO COMMISSIONERS)
(b) [Staff Memorandum](#)

- (c) [Proposed Order No. 9514](#) which would permit Delmarva Power & Light Company, Inc.'s semi-annual DSIC rate adjustment to go into effect on January 1, 2020.

IV. REGULAR AGENDA:

- **1. 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

Commission to consider:

- (a) [Proposed Order No. 9522](#) memorializing Commission's vote at its December 5, 2019 meeting. (NOTE: WILL BE SENT AT A LATER DATE)

****THIS ITEM WAS ADDED TO THE AGENDA AFTER THE INITIAL POSTING DUE TO THE VOTE WASN'T TAKEN UNTIL THE DECEMBER 5TH COMMISSION MEETING.**

- 2. IN THE MATTER OF THE APPLICATION OF DELMARVA POWER & LIGHT COMPANY FOR AN INCREASE IN NATURAL GAS BASE RATES (FILED AUGUST 17, 2017) – PSC DOCKET NO. 17-0978

Commission to consider:

- (a) [Findings and Recommendations of the Hearing Examiner Phase II Remand.](#)
- (b) [Delaware Public Service Commission's Staff's Brief on Exceptions](#) to the Hearing Examiner's Proposed Findings and Recommendations After Remand.
- (c) [Delmarva Power & Light Company's Exceptions](#), Comments and Arguments Respecting the Hearing Examiner's Findings and Recommendations On Remand.
- (d) [The Delaware Division of the Public Advocate's Brief on Exceptions](#) to the Hearing Examiner's Proposed Findings and Recommendations On Remand.

- 3. IN THE MATTER OF THE FORMAL COMPLAINT OF RICHARD SPINKS D/B/A GIGGLEBUGS, LLC AGAINST DELMARVA POWER & LIGHT COMPANY REGARDING THE DETERMINATION OF A TARIFF RATE CATEGORY (FILED NOVEMBER 8, 2018) – PSC DOCKET NO. 18-1194

Commission to consider:

- (a) [Proposed Order No. 9502](#) Memorializing Commission's vote at its November 5, 2019 meeting.
- (b) [Red-line version of proposed Order No. 9502.](#)

- 4. 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

Commission to consider:

- (a) [Proposed Order No. 9516](#) approving Findings and Recommendations from the Hearing Examiner.

V. HEARING SCHEDULE:

VI. PUBLIC COMMENT:

VII. DIRECTOR'S COMMENTS:

- (a) Next Commission Meeting - January 8, 2020
- (b) 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 depsc.delaware.gov.