

Updated: March 16, 2020
Tymone Banks
3:00 P.M.
Updated: March 13, 2020
Raj Barua
2:00 p.m.
Posted: March 11, 2020
Tymone Banks
4:30 P.M.

Due to Governor John Carney's Declaration of a State of Emergency, effective March 13, 2020, **this meeting will be conducted via teleconference** as well as video streamed live **starting at 12:55 p.m.** All persons who have items on the agenda and wish to be heard by the Commission may call in **toll free 1-800-391-2548, access code 41401318#.**

Live streaming may be accessed using this link:

<https://dep.sc.delaware.gov/commission-meetings/>

Should you encounter any difficulty in calling in, please contact PSC Staff at 302-736-7500 for assistance.

BEFORE THE PUBLIC SERVICE COMMISSION

AGENDA

March 18, 2020

*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. [February 19, 2020](#)

III. CONSENT AGENDA:

1. IN THE MATTER OF THE APPLICATION OF SUSSEX SHORES WATER COMPANY FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO PROVIDE WATER SERVICES PURSUANT TO 26 *DEL. C.* § 203C (“CEDAR SHORES CONDOMINIUM PROJECT”) (FILED FEBRUARY 11, 2020) – PSC DOCKET NO. 20-0141

Commission to consider:

- (a) Application (previously sent to the Commissioners)
- (b) [Staff Memorandum](#)
- (c) [Proposed Order No. 9555](#) which would grant Sussex Shores Water Company's application for a Certificate of Public Convenience and

Necessity to provide water services to the Cedar Shores Condominium Project in Sussex County, Delaware, including its request for a waiver of the publication requirements of 26 *Del. Admin. C.* § 2002 – 10.7.

2. IN THE MATTER OF THE APPLICATION OF DELMARVA POWER AND LIGHT COMPANY FOR APPROVAL OF QUALIFIED FUEL CELL PROVIDER PROJECT TARIFFS (FILED FEBRUARY 20, 2020) – PSC DOCKET NO. 20-0152

Commission to consider:

- (a) [Application](#)
- (b) [Staff Memorandum](#)
- (c) [Proposed Order No. 9556](#) for approval of Delmarva Power & Light Company's QFCP-RC Compliance filing for the April 2020 rate.

3. IN THE MATTER OF THE APPLICATION OF TIDEWATER UTILITIES, INC. FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO PROVIDE WATER SERVICES PURSUANT TO 26 *DEL. C.* §203C ("REHOBOTH BEACH DISTRICT 3") (FILED JANUARY 14, 2020) – PSC DOCKET NO. 20-0048

Commission to consider:

- (a) [Application](#)
- (b) [Staff Memorandum](#)
- (c) [Proposed Order No. 9559](#) which would grant Tidewater Utilities, Inc.'s request for a Certificate of Public Convenience and Necessity to provide water services to two parcels of land located in Sussex County, Delaware.

4. IN THE MATTER OF THE APPLICATION OF TIDEWATER UTILITIES, INC. FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO PROVIDE WATER SERVICES PURSUANT TO 26 *DEL. C.* §203C ("LINCOLN AREA") (FILED JANUARY 14, 2020) – PSC DOCKET NO. 20-0049

Commission to consider:

- (a) [Application](#)
- (b) [Staff Memorandum](#)
- (c) [Proposed Order No. 9560](#) which would grant Tidewater Utilities, Inc.'s request for a Certificate of Public Convenience and Necessity to provide water services to three parcels of land located in Sussex County, Delaware.

5. IN THE MATTER OF THE APPLICATION OF GRID ENERGY EXCHANGE LLC FOR AN ELECTRIC SUPPLIER CERTIFICATION IN THE STATE OF DELAWARE – (SUBMITTED: JANUARY 17, 2020; FILED FEBRUARY 6, 2020) – PSC DOCKET NO. 20-0067

Commission to consider:

- (a) [Application](#)
- (b) [Staff Memorandum](#)
- (c) [Proposed Order No. 9561](#) which approves certification of Grid Energy Exchange, LLC to broker electric supply services in the state of Delaware.

6. IN THE MATTER OF THE NOTICE OF POTENTIAL VIOLATION OF 26 *DEL. ADMIN. C.* §8001 AND ASSOCIATED CIVIL PENALTIES ASSESSED TO PENINSULA OIL CO., INC. (OPENED SEPTEMBER 18, 2019) – PSC DOCKET NO. 20-0166

Commission to consider:

- (a) [Proposed Order No. 9562](#) approving consent agreement.

7. IN THE MATTER OF THE APPLICATION OF COMCAST OF NEW CASTLE COUNTY, LLC D/B/A COMCAST CABLE, 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 NORTHERN NEW CASTLE COUNTY, DELAWARE (FILED MAY 30, 2017) – PSC DOCKET NO. 17-0507

Commission to consider:

- (a) Franchise Agreement ([Part 1](#)) ([Part 2](#))
- (b) [Hearing Examiner's Report](#)
- (c) [Proposed Order No. 9557](#) for renewal of the cable franchise.

IV. REGULAR AGENDA:

1. IN THE MATTER OF THE APPLICATION OF ARTESIAN WATER COMPANY, INC. AND THE TOWN OF FRANKFORD FOR APPROVAL OF AN ASSET PURCHASE AGREEMENT PURSUANT TO 26 *DEL. C.* §215 (FILED FEBRUARY 27, 2020) – PSC DOCKET NO. 20-0162

Commission to consider:

- (a) [Application](#)

- (b) [Staff Memorandum](#)
- (c) [Proposed Order No. 9558](#) which would approve the transfer of the Town of Frankford's water utility assets and regulatory authorizations to Artesian Water Company, along with the rights to provide water service at existing rates.

2. IN THE MATTER OF THE APPLICATION OF DELMARVA POWER & LIGHT COMPANY FOR AN INCREASE IN NATURAL GAS BASE RATES (FILED FEBRUARY 21, 2020) – PSC DOCKET NO. 20-0150

Commission to consider:

- (a) [Opening Order No. 9563](#) and Public Notice.

3. IN THE MATTER OF THE PETITION OF THE STAFF OF THE DELAWARE PUBLIC SERVICE COMMISSION AND THE DELAWARE PUBLIC ADVOCATE FOR APPROVAL OF REVISIONS TO DELMARVA POWER & LIGHT COMPANY'S ELECTRIC TARIFF (FILED MARCH 10, 2020) – PSC NO. 20-0217

Commission to consider:

- (a) [The Petition of Staff and DPA.](#)

** (b) [Delmarva Power & Light Company's Motion to Consolidate](#)

**** PLEASE NOTE: THIS ITEM WAS ADDED TO THE AGENDA AFTER THE INITIAL POSTING DATE AT THE REQUEST OF DELMARVA POWER & LIGHT COMPANY**

*** (c) [Staff and DPA Respsone to Delmarva Power & Light Company's Motion to Consolidate](#)

***** PLEASE NOTE: THIS ITEM WAS ADDED TO THE AGENDA AFTER THE INITIAL POSTING DATE AT THE REQUEST OF THE PSC STAFF AND THE DPA.**

4. 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, FEBRUARY 2, 2017) – PSC REGULATION DOCKET NO. 56

- (a) Staff to update the Commission regarding next steps.

V. HEARING SCHEDULE:

1. IN THE MATTER OF THE RULES FOR THE PROVISION OF TELECOMMUNICATIONS SERVICES (REG. DKT 10 OPENED MAY 1, 1984; REG DKT 45 OPENED NOVEMBER 21, 1995; JOINTLY REOPENED NOVEMBER 17, 1998; JULY 24, 2001; AUGUST 9, 2005; NOVEMBER 5, 2013; MAY 13, 2014; AUGUST 19, 2014 AND DECEMBER 5, 2019) – PSC REGULATION DOCKET NO. 10 AND 45

IN THE MATTER OF THE REGULATIONS FOR THE IMPLEMENTATION OF THE TELECOMMUNICATIONS TECHNOLOGY INVESTMENT ACT (OPENED JULY 20, 1993; REOPENED DECEMBER 5, 2019) – PSC REGULATION DOCKET NO. 41

Commission conduct a public hearing on the proposed amendments and consider:
(a) [Written comments of Verizon Delaware LLC.](#)

VI. PUBLIC COMMENT:

VII. DIRECTOR'S COMMENTS:

1. Public Comment Session, PSC Docket No. 19-0314, Verizon Delaware LLC – Renewable Cable Television Franchise, Tuesday, March 24, 2020, 6:00P.M., Gilliam Bldg., Multipurpose Room, New Castle, DE.
2. Evidentiary Hearing, PSC Docket No. 19-0724, Chesapeake Utilities Corp., Environmental Rider, Wednesday, April 1, 2020, 1:00P.M., Canon Bldg., Suite 100, Dover, DE.
3. Next Commission Meeting – April 1, 2020
4. 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.