STATE OF DELAWARE
PUBLIC SERVICE COMMISSION
861 SILVER LAKE BOULEVARD
CANNON BUILDING, SUITE 100
DOVER, DELAWARE 19904

TELEPHONE: (302) 739 - 4247
FAX: (302) 739 - 4849

January 26, 2007

VIA UPS Delivery

Mr. Aaron Nathans
The News Journal
P.O. Box 15505
Wilmington, DE 19850

Re: *In the Matter of Integrated Resource Planning for the Provision of Standard Offer Supply Service By Delmarva Power & Light Company Under 26 Del. C. § 1007(c)&(d): Review and Approval of the Request for Proposals for the Construction of New Generation Resources Under 26 Del. C. §1007(d)*
(Opened July 25, 2006) - PSC Docket No. 06-241
Response to FOIA Request filed by Reporter for The News Journal Newspaper

Dear Mr. Nathans:

I am responding to your letter (received by facsimile) dated January 12, 2007. In that document, you requested, under the Freedom of Information Act, copies of the bids submitted in response to the Request for Proposals process being supervised in the above-captioned docket. As you are aware, the actual Request for Proposals was issued by Delmarva Power & Light Company and the responsive bids were submitted to that company. The process for evaluating these bid submissions and possibly selecting one or more of the proposals, is set forth in 26 Del. C. § 1007(d)(2)-(3).

I am providing, on the enclosed two CDs, copies of the public (redacted) versions of the submitted bid proposals. The submitting bidders provided such redacted copies to the Commission on January 24, 2007. The public versions have now also been posted on the Commission's website located at http://www.state.de.us/delpsc/irp.shtml. I am providing the copies in electronic format because of their voluminous content. Your letter anticipated the use of such electronic medium.

As you can see, the bidders have redacted the public versions of their bids, contending that the omitted portions contain financial or commercial information which is of a privileged or confidential nature and hence is not a public record. See 29 Del.C. §10002(g)(2). Their assertions are also outlined in several cover letters submitted by the bidders. I have also provided those cover documents.

Consistent with Commission practice (see Rules 10 & 11 of the Commission's Rules of Practice and Procedure) the Commission has not entered any formal ruling on the bidders' claims related to the redacted materials. It has so far merely solicited, received and posted the public versions of the bids. If you wish to challenge the bidders' redactions, either as to their scope or their legality, please indicate so in writing a written response to the Commission. If such a challenge is received, the Commission will then commence appropriate proceedings to allow it to evaluate the bidders' assertions and determine whether any redacted material must, or should, be made available for public disclosure. If your employer would plan to use counsel in such proceeding, please provide in your response the name, telephone number, and e-mail address of such counsel.

Sincerely yours,

Bruce H. Burcat
Executive Director

Enclosures
Compact Discs (two)

cc: Chair and Commissioners
Robert Howatt, Staff
Service list in 06-241
Michael Houghton, Esq. (NRG)
David Rosenstein, Esq. (Conectiv)
Peter Mandelstam (Bluewater)
(all by electronic e-mail & w/o encs.)