

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF DELAWARE

IN THE MATTER OF THE APPLICATION OF)
DELMARVA POWER & LIGHT COMPANY FOR)
CHANGES IN THE ANCILLARY SERVICES) PSC DOCKET NO. 04-54
RATE COMPONENTS OF ITS STANDARD OFFER)
SUPPLY CHARGES)
(FILED FEBRUARY 13, 2004))

ORDER NO. 6391

AND NOW, to-wit, this 6th day of April, A.D., 2004;

WHEREAS, by PSC Order No. 6371 (Feb. 24, 2004), this Commission initiated this docket to consider the application filed by Delmarva Power & Light Company ("DP&L") seeking to modify its electric ancillary service rates; and

WHEREAS, by Order No. 6371, the Commission allowed the revised rates being proposed by DP&L to go into effect on March 15, 2004, on a temporary basis and subject to refund, pending a final Commission determination concerning such rates; and

WHEREAS, the Commission initially determined, in Order No. 6371, to hold a hearing concerning DP&L's rate application at its regularly scheduled meeting on May 18, 2004; and

WHEREAS, based upon Staff's recommendation, the Commission now finds that these proceedings should be referred to a Hearing Examiner in order for him to develop a full record and provide the Commission with his proposed findings and recommendations concerning the justness and reasonableness of the proposed changes in ancillary service rates;

Now, therefore, **IT IS ORDERED:**

1. That, pursuant to the provisions of 26 Del. C. § 502 and 29 Del. C. ch. 101, this matter is now referred to Senior Hearing Examiner William F. O'Brien. Hearing Examiner O'Brien shall conduct such hearings and proceedings as he deems appropriate to construct a full record in this matter. He shall then submit to the Commission a report setting forth his proposed findings and recommendations concerning the rate application made by Delmarva Power & Light Company . Hearing Examiner O'Brien is delegated the authority, under 26 Del. C. § 102A, to determine the need for further public notice and the content and manner of any such notice.

2. That the hearing scheduled by PSC Order No. 6371 (Feb. 24, 2004) to be held before the Commission on May 18, 2004, is hereby cancelled.

3. That the Commission reserves the jurisdiction and authority to enter such further Orders in this matter as may be deemed necessary or proper.

BY ORDER OF THE COMMISSION:

/s/ Arnetta McRae
Chair

Vice Chair

/s/ Joann T. Conaway
Commissioner

/s/ Donald J. Puglisi
Commissioner

PSC Docket No. 04-54, Order No. 6391 Cont'd.

/s/ Jaymes B. Lester
Commissioner

ATTEST:

/s/ Karen J. Nickerson
Secretary