

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF DELAWARE**

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) PSC DOCKET NO. 06-241
APPROVAL OF THE REQUEST FOR PROPOSALS)
FOR THE CONSTRUCTION OF NEW GENERA-)
TION RESOURCES UNDER 26 DEL. C.)
§ 1007(d) (OPENED JULY 25, 2006))

ORDER NO. 7148

WHEREAS, The News Journal made a formal written request dated February 16, 2007, demanding full copies of the bidders' documents submitted in connection with the captioned matter under the Delaware Freedom of Information Act ("FOIA") (29 Del. C. § 10002(g), which request was renewed by The News Journal at the hearing before the State agencies held in Legislative Hall on February 27, 2007; and

WHEREAS, the Commission thereafter directed its Staff to perform an in-depth review of each redacted document submitted by a bidder, which review has been memorialized in a memorandum dated March 14, 2007 ("Staff's Report"), which summarizes Staff's review of and conclusions regarding the issue of whether certain portions of the bidders' documents should remain confidential; and

WHEREAS, the Commission has considered Staff's Report and reviewed the materials attached as Tables to the Staff Report, which recommends that additional materials previously redacted and kept confidential should be disclosed to the public; and

WHEREAS, the Commission having previously considered a variety of arguments, petitions, and written submissions on why additional bidder information should be or should not be disclosed to the public.

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

1. That, the Commission adopts Staff's recommendations dated March 13, 2007 regarding those additional bid materials that should be disclosed and made available to the public in connection with this process, with the exception of documents identified as numbers 72 and 54 of Table A to those recommendations. In addition, on the document identified as 64, the number of positions should not be disclosed.

2. That, based on Staff's further recommendation, the documents in numbers 43 and 48 are transferred from the listing in Table A (disclosure) to Table B (redactions). The redacted materials in these documents relate to pricing information.

3. That, the Commission also directs Staff not to disclose or otherwise make public any documents listed on Exhibit "A" for five (5) business days from the date of this Order. This will allow any party who believes itself to be aggrieved by the Commission's decision to take any necessary steps to protect those interests.

4. That, the Commission also extends the public comment period in this docket from March 23, 2007 to April 6, 2007 so that if this additional information, which the Commission is recommending be disclosed, is made public, participants in this proceeding who are interested in providing written comments to the Commission will have an opportunity to include such material in their submissions.

5. 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

/s/ Jaymes B. Lester
Commissioner

/s/ Joann T. Conaway
Commissioner

/s/ Dallas Winslow
Commissioner

/s/ Jeffrey J. Clark
Commissioner

ATTEST:

/s/ Karen J. Nickerson
Secretary