

**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) PSC DOCKET NO. 07-20
26 DEL. C. § 1007(c) & (d): REVIEW)
OF INITIAL RESOURCE PLAN SUBMITTED)
DECEMBER 1, 2006)
(OPENED JANUARY 23, 2007))

ORDER NO. 7158

This 3rd day of April, 2007, the Commission determines and Orders the following:

1. In this matter, Jeremy Firestone, Alan Muller, and Maryanne McGonegal each filed petitions to intervene.¹ The Hearing Examiner (who had the power to rule on such requests) granted the requests for participation but directed that the three appear collectively, given that they shared what he saw as a common interest.²

2. Firestone and Muller filed interlocutory appeals³ from the Hearing Examiner's requirement for collective participation.

3. At its meeting on March 20, 2007, the Commission considered Firestone's and Muller's interlocutory applications, granted them, and struck the Hearing Examiner's condition that they appear collectively in this matter. The Commission believes that appearance as separate

¹Rules of Practice and Procedure ("Practice Rules"), Rule 21.

²Hearing Exam. Letter (Mar. 1, 2007).

³Practice Rule 28.

individuals is consistent with past Commission actions on requests for intervention.

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

1. That the Hearing Examiner's decision dated March 1, 2007, that allows Jeremy Firestone, Alan Muller, and Maryanne McGonegal to intervene in this docket, is affirmed. The decision of the Hearing Examiner directing that, as a condition of such participation, the three appear collectively is reversed, and such requirement is struck. Each of the petitioners may appear individually and separately.

2. 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/ Joann T. Conaway
Commissioner

/s/ Jaymes B. Lester
Commissioner

/s/ Dallas Winslow
Commissioner

/s/ Jeffrey J. Clark
Commissioner

ATTEST:

/s/ Karen J. Nickerson
Secretary