

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF DELAWARE

IN THE MATTER OF THE APPLICATION OF)
DELMARVA POWER & LIGHT COMPANY TO)
MAKE REVISIONS TO ITS ELECTRIC TARIFF)
TO REFLECT "RETURNING CUSTOMER) PSC DOCKET NO. 07-98T
SERVICE" UNDER 26 DEL. C. §§ 1001(17))
AND 1006 AND TO ALSO REVISE SEVERAL)
DISTRIBUTION RATES)
(FILED APRIL 3, 2007))

ORDER NO. 7235

This 24th day of July, 2007, the Commission determines and Orders the following:

1. In April, 2007, Delmarva Power & Light Company ("DP&L") filed an application (with accompanying revised tariff pages) to implement the statutorily-mandated "Returning Customer Service" ("RCS").¹ In PSC Order No. 7177 (April 24, 2007), the Commission allowed the RCS tariff provisions to go into effect on a temporary basis (and subject to refund) as of May 1, 2007.² The Commission chose this course to permit public notice of the RCS tariff provisions and to allow potentially affected customers, or other interested entities,

¹See 26 Del. C. §§ 1001(17), 1006(a)(4), 1007(a) (2006 Supp.). The required "RCS" service applies to electric supply customers with a peak monthly load of 1000 kW or more that return to DP&L's electric supply services after previously "leaving" DP&L's "Standard Offer Supply" to take supply from another electric supplier. The rates for RCS service must be based on the regional spot market plus procurement costs and the designated "returning" customer must remain on RCS service for at least twelve months after its "return."

²In Order No. 7177, the Commission outlined how DP&L's tariff revisions implemented the RCS obligations without directly creating a new rate service labeled RCS. Order No. 7177 at ¶ 3. In that same Order, the Commission also finally approved changes to several distribution rates to reflect the "decompression" of those rates. See Order No. 7177 at ¶¶ 2 & 4. Those changes are not involved in this Order.

to file objections or comments related to the RCS implementation and the proposed tariff provisions.

2. DP&L published the prescribed notice. No one filed comments or objections. Staff reaffirms its earlier recommendation that the RCS tariff provisions be approved.

3. In the absence of objections or comments, and based on the Staff's recommendation, the Commission now finally approves the revisions to DP&L's electric tariff to implement "Returning Customer Service."³

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

1. That, for the reasons set forth in the body of this Order, the tariff revisions to Delaware Electric Tariff No. 8 filed by Delmarva Power & Light Company on April 3, 2007, which implement the electric distribution company's statutory obligation to provide "Returning Customer Service" under the provisions of 26 Del. C. §§ 1001(17) & 1007(a)(1), are hereby finally approved. This final approval shall be effective on the date of this Order. Delmarva Power & Light Company has no obligation to make any refunds under PSC Order No. 7177 (April 24, 2007).

³Since the filing of the RCS-driven tariff changes on April 3, 2007, DP&L has, in another docket, filed an application that makes changes to other rate elements in some of the same tariff pages. See PSC Dckt. No. 04-391, PSC Order No. 7192 (May 22, 2007). In those instances, the RCS tariff changes earlier allowed to go into effect on May 1 have been carried forward in these later-submitted tariff leaves. The final approval granted here reaches to such RCS tariff provisions that have so been carried forward in later tariff leaf revisions.

