

application filed by Delmarva Power & Light Company on August 31, 2009, is hereby allowed to go into effect on November 1, 2009, subject to refund pending further review and final decision by the Commission.

2. That Mark Lawrence is hereby designated as the Hearing Examiner for this docket pursuant to 26 *Del. C.* § 502 and 29 *Del. C.* ch. 101. Hearing Examiner Lawrence shall schedule and conduct, upon due public notice, such public evidentiary hearings as may be necessary or appropriate to develop a full and complete record concerning this application. Thereafter, Hearing Examiner Lawrence shall report to the Commission his proposed findings and recommendations based on the evidence presented. In addition, pursuant to Rule 21 of the Commission's Rules of Practice and Procedure, Hearing Examiner Lawrence is specifically authorized to grant or deny petitions for intervention. In addition, Hearing Examiner Lawrence is specifically delegated the authority to determine, under 26 *Del. C.* § 102A, the form and manner of any public notice to be given for such further proceedings. Regina A. Iorii, Esquire, Deputy Attorney General, is designated Rate Counsel for this matter.

3. Delmarva Power & Light Company is hereby put on notice that it will be charged the costs incurred in connection with this proceeding under the provisions of 26 *Del. C.* § 114(b)(1).

4. That Delmarva Power & Light Company shall provide public notice of the filing of its application and of the Commission action here by publishing notices in the form attached hereto as Exhibit "A"

in the legal classified section of The News Journal newspaper in two-column format, outlined in black, on **September 15 and 16, 2009**. Proof of such publication is to be provided to the Commission as soon as practical but not later than the commencement of the evidentiary hearings concerning this matter.

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/ Joann T. Conaway
Commissioner

/s/ Jaymes B. Lester
Commissioner

/s/ Dallas Winslow
Commissioner

/s/ Jeffrey J. Clark
Commissioner

ATTEST:

/s/ Katie Rochester
Acting Secretary

E X H I B I T "A"

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF DELAWARE

IN THE MATTER OF THE APPLICATION)
OF DELMARVA POWER & LIGHT COMPANY)
FOR AN ANNUAL UPDATE IN THE GAS) PSC DOCKET NO. 09-384
ENVIRONMENTAL SURCHARGE RIDER RATE)
(FILED AUGUST 31, 2009))

P U B L I C N O T I C E

OF UPDATE TO GAS ENVIRONMENTAL SURCHARGE RIDER RATE
FOR DELMARVA POWER & LIGHT COMPANY

TO: ALL NATURAL GAS CUSTOMERS OF DELMARVA POWER & LIGHT
COMPANY, AND OTHER INTERESTED PERSONS

A Hearing Examiner of the Delaware Public Service Commission (the "Commission") will conduct a public comment hearing concerning the above-captioned case (as further explained below) at the following time and location:

Date & Time

Tuesday, October 27, 2009
7:00 p.m.

Location

Auditorium
Carvel State Office Bldg.
820 N. French Street
2nd floor
Wilmington, DE 19801

DP&L's Environmental Surcharge Rider Rate, PSC Docket No. 09-384

Pursuant to the Environmental Remediation recovery mechanism approved in PSC Order No. 6401 (Apr. 20, 2004) in Docket No. 04-53, Delmarva Power & Light Company ("DP&L" or the "Company"), has filed an application with the Commission proposing an increase in the

Environmental Surcharge Rider ("ESR"), with the increased rate to become effective with service rendered on or after November 1, 2009, subject to modification and refund after evidentiary hearings and further proceedings to be presided over by a Hearing Examiner.

In the Application, the Company requests permission to change its current ESR rate from a positive surcharge of \$0.00175 per ccf to a positive surcharge rate of \$0.00206 per ccf for all firm delivery service customers. For a typical residential space heating customer using 120 ccf of gas in a winter month, the effect of the proposed gas ESR rate change would be an increase in the monthly winter bill of approximately 3.7 cents (less than 0.1%).

Any person, group, or entity desiring to participate formally as a party in this docket, with the right to submit evidence and to be represented by counsel, must petition the Commission for leave to intervene in the proceedings in this docket in accordance with Rule 21 of the Commission's Rules of Practice and Procedure. Such petitions must be filed with the Commission at 861 Silver Lake Boulevard, Cannon Building, Suite 100, Dover, Delaware 19904 (Attn: PSC Dckt. No. 09-384) on or before **October 9, 2009**. Petitions received thereafter will not be considered except for good cause shown.

The Commission will conduct an evidentiary hearing, to be scheduled at a later date, concerning this application. The Commission's final decision will be based on the evidence presented at such hearing.

Copies of the Company's application and its testimony and schedules in this docket are available for public inspection during

normal business hours at the Commission's Dover office at the address set out above. Such materials can also be reviewed by appointment at the offices of the Division of the Public Advocate, Fourth Floor, Carvel State Office Building, 820 North French Street, Wilmington, Delaware. Please call (302) 577-5077 to arrange for an appointment.

Any individual with a disability desiring to participate in these proceedings or to review the filings should contact the Commission to discuss any auxiliary aids or services needed. The Commission Staff can also provide additional information about this docket. The Commission's toll-free telephone number within Delaware is 1-800-282-8574. The Commission may be reached at (302) 736-7500 (including text telephone communications). Inquiries may be sent to the Commission by Internet e-mail addressed to "courtney.stewart@state.de.us."