

WHEREAS, because of the disputed factual issues involved, the Commission deems it appropriate to refer the matter to a hearing examiner to conduct an evidentiary hearing.

NOW THEREFORE, IT IS ORDERED BY THE AFFIRMATIVE VOTE OF NOT FEWER THAN THREE COMMISSIONERS:

That Ruth Ann Price is designated as the Hearing Examiner for this docket pursuant to 26 *Del. C.* § 502 and 29 *Del. C.* ch. 101. Hearing Examiner Price shall schedule and conduct such public evidentiary hearings as may be necessary or appropriate to develop a full and complete record concerning this matter. Hearing Examiner Price shall thereafter report to the Commission her proposed findings and recommendations based on the evidence presented. Pursuant to Rule 21 of the Rules of Practice and Procedure, Hearing Examiner Price is delegated the authority to grant or deny petitions to intervene. In addition, Hearing Examiner Price is delegated the authority under 26 *Del. C.* § 102A to determine the content, form, and manner of any further notice in this matter and to grant applications of counsel for admission *pro hac vice*.

BY ORDER OF THE COMMISSION:

/s/ Arnetta McRae
Chair

/s/ Joann T. Conaway
Commissioner

/s/ Jaymes B. Lester
Commissioner

PSC Complaint Docket No. 363-09, Order No. 7660

/s/ Dallas Winslow
Commissioner

/s/ Jeffrey J. Clark
Commissioner

ATTEST:

/s/ Katie Rochester
Acting Secretary