

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF DELAWARE

IN THE MATTER OF THE APPLICATION OF)
DELMARVA POWER & LIGHT COMPANY)
FOR APPROVAL OF MODIFICATIONS) PSC DOCKET NO. 09-385F
TO ITS GAS COST RATES)
(FILED AUGUST 31, 2009))

ORDER NO. 7664

AND NOW, this 6th day of October, 2009:

WHEREAS, on August 31, 2009 Delmarva Power & Light Company ("DP&L" or "the Company") filed with the Delaware Public Service Commission (the "Commission") the above-captioned application seeking approval to modify its Gas Cost Rates ("GCR") effective on November 1, 2009, with proration, as follows: (1) revise the volumetrically applied GCR factors applicable to the RG, GG, GL, and non-electing MVG Service Classifications; (2) revise the demand charge for the non-electing MVG, electing MVG and LVG and Standby Service Classifications; and (3) reconcile and true-up actual versus estimated monthly Commodity Cost Rate assignments for sales under the LVG and so-called "electing" MVG Service Classifications; and

WHEREAS, by Order No. 7642 dated September 9, 2009, the Commission, pursuant to 26 Del. C. §§ 304 and 306, ordered that the proposed GCR modifications and other requested revisions to the Company's tariffs should be permitted to become effective for usage on and after November 1, 2009, with proration and subject to refund, pending further review and final decision by the Commission, and designated Mark Lawrence as Hearing Examiner; and

WHEREAS, upon reconsideration, the Commission has determined that Ruth Ann Price should be assigned to this matter;

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

1. 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 and motions for the admission of counsel *pro hac vice*. 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.

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

PSC Docket No. 09-385F, Order No. 7664 (Con't)

/s/ Dallas Winslow
Commissioner

/s/ Jeffrey J. Clark
Commissioner

ATTEST:

/s/ Katie Rochester
Acting Secretary