

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF DELAWARE**

| | | |
|-----------------------------------------|---|----------------------|
| IN THE MATTER OF THE COMPLAINT FILED |) | |
| BY MEN'S OXFORD HOUSE VERSUS DELMARVA |) | |
| POWER & LIGHT COMPANY AND HORIZON POWER |) | |
| AND LIGHT, L.L.C. CONCERNING ALLEGEDLY |) | |
| IMPROPER CLASSIFICATION AS A COMMERCIAL |) | PSC COMPLAINT DOCKET |
| CUSTOMER AND ALLEGEDLY INAPPROPRIATE |) | NO. 361-09 |
| BILLING RESULTING THEREFROM |) | |
| (FILED MAY 12, 2009) |) | |

ORDER NO. 7679

CLOSING COMPLAINT DOCKET

AND NOW, this 3rd day of November, 2009:

WHEREAS, on May 12, 2009, the Men's Oxford House ("Oxford House"), a residential drug and alcohol facility for men located in Georgetown, Delaware, filed with the Delaware Public Service Commission (the "Commission") a formal complaint alleging that Delmarva Power & Light Company ("Delmarva") and Horizon Power and Light, LLC ("Horizon") had improperly charged Oxford House as a commercial account rather than a residential account over a period of several years; and

WHEREAS, the Commission has been advised that as a result of negotiations and discussions among Oxford House, Delmarva and Horizon, the substance of the formal complaint has been resolved; and

WHEREAS, Rule 17 of the Commission's Rules of Practice and Procedure provide that when a formal complaint docket has been resolved, all parties to a formal complaint docket must execute and

file with the Commission a statement stating that the formal complaint docket has been resolved and the docket may be closed; and

WHEREAS, authorized representatives of Delmarva and Horizon have signed such a statement; and

WHEREAS, despite numerous requests from Commission counsel, Oxford House has failed to return a signed statement pursuant to Rule 17; and

WHEREAS, Oxford House has failed to take any steps to prosecute its formal complaint since its filing on May 12, 2009; and

WHEREAS, in light of the apparent resolution of the substance of the formal complaint docket and Oxford House's failure to prosecute its complaint, the Commission concludes that this complaint docket should be closed;

NOW, THEREFORE, IT IS HEREBY ORDERED BY THE AFFIRMATIVE VOTE OF NO FEWER THAN THREE COMMISSIONERS:

1. That this complaint docket is closed.
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 Complaint No. 361-09, Order No. 7679 (Con't)

/s/ Dallas Winslow
Commissioner

/s/ Jeffrey J. Clark
Commissioner

ATTEST:

Alisa Carrow Bentley
Secretary