

BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF DELAWARE

IN THE MATTER OF THE PETITION )  
OF DELMARVA POWER & LIGHT ) PSC DOCKET NO. 09-182  
COMPANY FOR AUTHORIZATION TO )  
DEFER CERTAIN CHARGES TO THE )  
COMPANY'S FINANCIAL STATEMENTS )  
RESULTING FROM THE IMPACT OF )  
RECENT ECONOMIC DEVELOPMENTS )  
ON PENSION COSTS )  
(FILED MAY 1, 2009) )

ORDER NO. 7700

This 8<sup>th</sup> day of December, 2009, the Commission determines and orders the following:

**WHEREAS**, on November 12, 2009, Delmarva Power & Light Company ("Delmarva" or the "Company") filed its Motion for Reconsideration and Interlocutory Appeal of November 5, 2009 Letter of Hearing Examiner (the "Motion");

**WHEREAS**, pursuant to the Motion, Delmarva sought, among other things, to withdraw the reference from the Hearing Examiner for direct consideration by the Commission of Delmarva's petition for authorization to defer certain pension expenses (the "Petition");

**WHEREAS**, on November 16, 2009, Commission staff ("Staff") filed its response to the Motion, objecting to the removal of the case from the Hearing Examiner;

**WHEREAS**, on November 17, 2009, the Department of the Public Advocate filed its opposition to the Motion, also objecting to the removal of the case from the Hearing Examiner;

**WHEREAS**, on November 19, 2009, after hearing argument on the Motion, the Commission voted to deny the Motion (3-2, Commissioners Winslow and Lester voting nay);

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

That, for the reasons stated by the Commission at the November 19, 2009 Commission Meeting, the Commission determines that Delmarva Power & Light Company's Motion for Reconsideration and Interlocutory Appeal of November 5, 2009 Letter of Hearing Examiner is hereby denied.

BY ORDER OF THE COMMISSION:

/s/ Arnetta McRae  
Chairman

/s/ Joann T. Conaway  
Commissioner

/s/ Jaymes B. Lester  
Commissioner

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Commissioner

/s/ Jeffrey J. Clark  
Commissioner

ATTEST:

/s/ Alisa Carrow Bentley  
Secretary