

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

IN THE MATTER OF THE ADOPTION OF RULES)
AND REGULATIONS GOVERNING THE)
PROCEDURE FOR INSPECTION AND COPYING)
OF PUBLIC RECORDS UNDER THE FREEDOM OF) PSC Regulation Docket No. 62
INFORMATION ACT, 29 *Del C.* §§ 10001-)
10006 (OPENED AUGUST 17, 2010;)
REOPENED MAY 10, 2011; REOPENED)
NOVEMBER 8, 2011))

ORDER NO. 8080

AND NOW, this 1st day of December, 2011:

WHEREAS, by PSC Order No. 8072 dated November 8, 2011, the Delaware Public Service Commission (the "Commission") proposed to repeal its current *Regulations Governing Requests Made Pursuant to the Freedom of Information Act* and to promulgate revised *Regulations Governing Requests Made Pursuant to the Freedom of Information Act* ("Proposed FOIA Regulations") to comply with Executive Order Number 31; and

WHEREAS, subsequently the Commission Staff was informed that all Delaware executive agencies were required to use a uniform proposed form of order for repealing the Commission's existing FOIA Regulations and promulgating revised Proposed FOIA Regulations; and

WHEREAS, PSC Order No. 8072 did not contain the required uniform proposed form of order;

NOW, THEREFORE, IT IS HEREBY ORDERED BY THE AFFIRMATIVE

VOTE OF NOT FEWER THAN THREE COMMISSIONERS:

1. That, pursuant to 26 *Del. C.* §209(a)(1) and 29 *Del. C.* §10013(b), and for the reasons set forth in the body of this Order, the Commission hereby vacates PSC Order No. 8072.

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:

Chair

/s/ Joann T. Conaway
Commissioner

/s/ Jaymes B. Lester
Commissioner

/s/ Jeffrey J. Clark
Commissioner

Commissioner

ATTEST:

/s/ Alisa Carrow Bentley
Secretary