

BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF DELAWARE

IN THE MATTER OF THE APPLICATION OF)
DELMARVA POWER & LIGHT COMPANY FOR)
APPROVAL OF THE 2013 PROGRAM FOR THE) PSC DOCKET NO. 12-526
PROCUREMENT OF SOLAR RENEWABLE ENERGY)
CREDITS (FILED NOVEMBER 20, 2012))

ORDER No. 8278

FOR ADMISSION AS AN INTERVENOR

AND NOW, this 15th day of January, 2013, pursuant to the authority granted to me in PSC Order No. 8254 dated December 18, 2012, this Hearing Examiner having considered the Petition for Leave to Intervene ("the Petition") filed by the Department of Natural Resources and Environmental Control ("DNREC") on January 4, 2013, and there being no objection thereto filed by any party of record;

NOW, THEREFORE,

1. The Petition is granted.
2. In PSC Order No. 8254, the Commission ordered that the deadline for filing petitions for intervention and written comments was January 4, 2013. (See Order, ¶3.)
3. Thus, DNREC's Petition to Intervene and comments were timely filed.
4. In its Petition, DNREC alleges that DNREC's "interest will not be adequately represented by the parties to this proceeding." Specifically, DNREC alleges that: 1) unlike the other participants,

DNREC is responsible for the management of Delaware's environment which is in the public interest; and 2) "DNREC's interest in the outcome of this proceeding is in supporting implementation of a stable and sustainable SREC market that meets the requirements and policy objectives of the Renewable Energy Portfolio Standards Act ("REPSA"). REPSA established the Renewable Energy Task Force ("RETF"), which is staffed by the Division of Energy & Climate. The SREC program was developed by the RETF, which is chaired by the Director of the DNREC division of Energy and Climate." (See DNREC's Petition to Intervene at ¶¶2,4.)

5. No party has opposed DNREC's Petition.

6. This Hearing Examiner has not received any communication opposing the Petition from the parties.

7. For purposes of considering the merits of DNREC's Petition, I assume as true the representations made in DNREC's Petition. Specifically, DNREC has adequately alleged that it has particularized expertise and experience which may be valuable to the Commission in deciding the issues in this docket. Thus, DNREC has satisfied the intervention requirements of Rule 21 of the Commission's *Rules of Practice and Procedure*.

8. There is no need to disturb the Procedural Schedule ordered previously agreed upon by the parties and adopted by the Hearing Examiner.

Now, therefore, **IT IS ORDERED:**

1. Accordingly, the Petition for Intervention filed by the State of Delaware Department of Natural Resources and Environmental Control ("DNREC") is **GRANTED**.

2. DNREC shall be added to the Service List for this Docket.

BY ORDER OF THE COMMISSION

/s/ Mark Lawrence

Mark Lawrence

Hearing Examiner