

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

**IN THE MATTER OF THE PETITION OF)
THE DIVISION OF THE PUBLIC ADVOCATE)
TO REQUEST THE PUBLIC SERVICE)
COMMISSION TO AMEND 26 DEL.ADMIN. CODE)
§3008.3.2.21 TO ISSUE REGULATIONS)
GOVERNING WHEN A FREEZE OF THE) DOCKET NO. 15-1462
MINIMUM PERCENTAGES OF ELIGIBLE)
ENERGY RESOURCES AND SOLAR)
PHOTOVOLTAICS MAY BE DECLARED)
PURSUANT TO 26 DEL. C. §§354(i) AND (j))
(Filed October 2, 2015))**

**PETITION OF THE CAESAR RODNEY INSTITUTE TO REQUEST THE DELAWARE
PUBLIC SERVICE COMMISSION TO AMEND 26 DEL. ADMIN. CODE §3008.3.2.21
TO ISSUE REGULATIONS GOVERNING WHEN A FREEZE OF THE MINIMUM
PERCENTAGES OF ELIGIBLE ENERGY RESOURCES AND SOLAR
PHOTOVOLTAICS MAY BE DECLARED PURSUANT TO 26 DEL. C. §§354(i) AND (j)**

Please be advised the Caesar Rodney Institute supports the position of the Public Advocate and respectfully submits this petition (“Petition”) requesting the Public Service Commission (the “Commission”) to amend 26 Del. Admin. Code §§3008.3.2.21 to issue regulations governing when a freeze of the minimum percentages of eligible energy resources and solar photovoltaics may be declared pursuant to 26 Del. C. §§354(i) and (j). In support of its Petition, the Caesar Rodney Institute quotes the plain language of 26 Del. C. §362:

“For regulated utilities, the Commission shall further adopt rules and regulations *to specify the procedures for freezing the minimum cumulative solar photovoltaic requirement as authorized under § 354(i) and (j) of this title*, and for adjusting the alternative compliance payment and solar alternative compliance payment as authorized under § 358(d)(4) and (e)(3) of this title.”

WHEREFORE, the Caesar Rodney Institute respectfully requests this Commission to open a docket to promulgate regulations specifying the procedures for freezing the minimum cumulative solar photovoltaic and eligible energy resource requirements under 26 *Del. C.* §§354(i) and (j).

/s/ David T. Stevenson
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