

**A REGULAR MEETING
OF
THE PUBLIC SERVICE COMMISSION**

1. A Regular Meeting was called to order by Chair Winslow in the Hearing Room, 861 Silver Lake Boulevard, Dover, Delaware, on Tuesday, November 24, 2015, at 1:00 p.m. with the following Commissioners in attendance: Joann Conaway, Kim Drexler, Harold Gray, and Mike Karia.

The following Staff members were in attendance: Julie “Jo” Donoghue, Deputy Attorney General, Brenda Mayrack, Deputy Attorney General, Robert Howatt, Matthew Hartigan, Jason Smith, Malika Davis, Pamela Knotts, Donna Nickerson and Ronnette Brown.

2. Commissioner Conaway moved to approve the meeting minutes from the November 3, 2015 meeting as presented; seconded by Commissioner Gray; motion carried 4-0. Commissioner Drexler abstained.
3. CONSENT AGENDA ITEMS:

A motion was made by Commissioner Karia to adopt the following Consent Agenda items:

IN THE MATTER OF THE APPLICATION OF ARTESIAN COMPANY, INC. FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO PROVIDE WATER SERVICES PURSUANT TO 26 DEL §203C (“PALAU”) (FILED SEPTEMBER 30, 2015) – PSC DOCKET NO. 15-1440

Commission to consider Staff Memorandum and Proposed Order No. 8821.

IN THE MATTER OF THE APPLICATION OF DELMARVA POWER & LIGHT COMPANY FOR APPROVAL OF QUALIFIED FUEL CELL PROVIDER PROJECT TARIFF (FILED OCTOBER 28, 2015) – PSC DOCKET NO. 15-1515

Commission to consider Staff Memorandum and proposed Order No. 8815.

The motion was seconded by Commissioner Drexler; the motion carried unanimously.

4. REGULAR AGENDA ITEMS:

IN THE MATTER OF THE APPLICATION OF CHESAPEAKE UTILITIES CORPORATION FOR APPROVAL OF A CHANGE IN ITS ENVIRONMENTAL RIDER “ER” RATE TO BE EFFECTIVE DECEMBER 1, 2015 (FILED OCTOBER 29, 2015) – PSC DOCKET NO. 15-1516

Brenda Mayrack, Esquire, and Jason Smith appeared on behalf of Staff.

Regina Iorii, Esquire, and Dave Bonar appeared on behalf of the Division of the Public Advocate.

William O’Brien, Esquire, appeared on behalf of Chesapeake Utilities Corporation.

A motion was made by Commissioner Gray and seconded by Commissioner Conaway, to adopt Order No. 8817 as amended; motion carried unanimously.

A verbatim transcript was made of this proceeding.

5. HEARINGS

IN THE MATTER OF THE APPLICATION OF DELMARVA POWER & LIGHT COMPANY FOR AN ANNUAL UPDATE IN THE GAS ENVIRONMENTAL SURCHARGE RIDER RATE (FILED AUGUST 26, 2015) – PSC DOCKET NO. 15-1333

Brenda Mayrack, Esquire, and Malika Davis appeared on behalf of Staff.

Pamela Scott, Esquire, and Kristin McEvoy, Senior Regulatory Affairs Coordinator of Regulatory Compliance Pricing appeared on behalf of Delmarva Power & Light Company.

Regina Iorii, Esquire, and Andrea Maucher appeared on behalf of the Division of the Public Advocate.

A motion was made by Commissioner Karia and seconded by Commissioner Drexler, to adopt Order No. 8818; motion carried unanimously.

A verbatim transcript was made of this proceeding.

IN THE MATTER OF THE PETITION OF VIVINT SOLAR, INC. FOR A
DECLARATORY ORDER (FILED AUGUST 28, 2015) - PSC DOCKET
NO. 15-1358

Brenda Mayrack, Esquire appeared on behalf of the Commission.

Julie “Jo” Donoghue, Esquire, and Pamela Knotts appeared on behalf of Staff.

Elio Battista, Esquire, of Parkowski, Guerke & Swayze, P.A., appeared on behalf of Energy Freedom Coalition.

Devera Scott, Esquire, and Thomas Noyes appeared on behalf of Dept. of Natural Resources and Environmental Control.

Ian R. Liston, Esquire, and Todd G. Glass, Esquire, of Wilson Sonsini Goodrich & Rosati, P.C., and Dan Black, Esquire, of Vivint Solar, Inc., appeared on behalf of Vivint Solar, Inc.

Regina Iorii, Esquire, and Dave Bonar appeared on behalf of the Division of the Public Advocate.

A motion was made by Commissioner Karia and seconded by Commissioner Conaway, to deny the petition for Declaratory Relief; motion carried unanimously.

A verbatim transcript was made of this proceeding.

6. DIRECTOR’S COMMENTS

Chair Winslow introduced Mr. Thomas Noyes from DNREC who announced that DNREC’s RPS Cost Cap Regulation is open for public comment and will remain open for public comment until 4:30 PM on December 8th.

Chair Winslow announced that he received an email from an attorney in Massachusetts who wanted the State of Delaware, through the Public Service Commission, to issue a Declaration that this Commission 1) works closely with DNREC 2) supports the Clean Power Plan and a couple of minor solar situations. Chair Winslow advised that person that he was not in a position to speak on behalf of the Commission and could not act on that but would try to put it on our calendar for December 3rd so the Commission could discuss that issue and make a decision whether or not the Commission was going to be supportive of the people in other states who are supporting the Clean Power Plan. Mr. Cherry was copied on one of the emails the Chair sent.

Mr. Howatt announced instead of the usual Tuesday meetings, the next Commission meeting will be held on Thursday, December 3, 2015 due to scheduling issues the Commission has to consider.

Mr. Howatt also announced that during that scheduled meeting there will be Evidentiary Hearings on basic service tier cable television rates and necessary equipment and installation charges for Comcast, specifically Comcast of Delmarva, Inc., for unincorporated areas of Kent and Sussex Counties, Comcast of Eastern Shore, LLC, unincorporated areas of Sussex County, and Comcast Cable Communications, LLC, unincorporated areas of Sussex County.

There was no further business and the meeting adjourned at 2:17 p.m.

Respectfully submitted,

/s/ Donna Nickerson

Secretary