

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

1. A Regular Meeting was called to order by Acting Chair Conaway in the Hearing Room, 861 Silver Lake Boulevard, Dover, Delaware, on Tuesday, January 5, 2016, at 1:00 p.m. with the following Commissioners in attendance: Kim Drexler, and Harold Gray. Chair Winslow appeared via telephone but did not participate in voting.

The following Staff members were in attendance: Patty Davis-Oliva, Deputy Attorney General, Brenda Mayrack, Deputy Attorney General, Robert Howatt, Matthew Hartigan, Donna Nickerson, Natalie White, and Ronnette Brown.

2. Commissioner Gray moved to approve the meeting minutes from the December 15, 2015 meeting as presented; seconded by Commissioner Drexler; motion carried 3-0.
3. CONSENT AGENDA ITEMS:

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

IN THE MATTER OF THE APPLICATION OF ARTESIAN WATER COMPANY, INC., FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO PROVIDE WATER SERVICES TO SIX PARCELS OF LAND LOCATED IN DUCK CREEK HUNDRED, AND TO TWENTY-SEVEN PARCELS OF LAND LOCATED IN KENTON HUNDRED, NEAR THE TOWN OF CLAYTON, KENT COUNTY, DELAWARE (“SOUTH WEST CLAYTON”) (FILED AUGUST 20, 2004 AND AMENDED SEPTEMBER 22, 2004 AND OCTOBER 6, 2004) - PSC DOCKET NO. 04-CPCN-21

IN THE MATTER OF THE APPLICATION OF ARTESIAN WATER COMPANY, INC. TO ABANDON UNDER 26 *DEL. C.* § 203A(d) WATER SERVICES PROVIDED UNDER A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY (FILED NOVEMBER 24, 2015) - PSC DOCKET NO. 15-1591

Commission to consider Staff Memorandum and proposed Order No. 8841.

The motion was seconded by Commissioner Gray; the motion carried 3-0.

4. REGULAR AGENDA ITEMS:

DOCKET NOS. 15-0889 AND 15-0890 WAS PRESENTED TO THE COMMISSION AT THE SAME TIME BUT AS SEPARATE DOCKETS:

IN THE MATTER OF REQUEST FOR APPROVAL OF STANDARD OFFER SERVICE RATES, PROCUREMENT COST ADJUSTMENT AND RARM FILING - PSC DOCKET NO. 15-0889

IN THE MATTER OF 2015 RPS CHARGE & RPS CREDIT RATE CALCULATION (FILED APRIL 1, 2015) – PSC DOCKET NO.15-0890

Brenda Mayrack, Esquire, and Pamela Knotts appeared on behalf of Staff.

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

A motion was made by Commissioner Drexler and seconded by Commissioner Gray, to deny both Order Nos. 8831 and 8839; motion carried 3-0.

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

Patty Davis-Oliva, Esquire, appeared on behalf of Staff.

A motion was made by Commissioner Gray and seconded by Commissioner Drexler, to adopt Order No. 8840; motion carried 3-0.

A verbatim transcript was made of this proceeding.

5. DIRECTOR'S COMMENTS

Mr. Howatt announced that there would be an Evidentiary Hearing January 6, 2016 at 10:00 A.M. in the Dover office conducted by Hearing Examiner Campbell Hay regarding Docket No. 15-0671, Delmarva Power & Light Company's methodology for the calculation of balancing fees.

Before Mr. Howatt turned the floor over to Mr. Farber, and the possibility of the Commission going into Executive Session, Mr. Howatt announced the next Commission meeting would be held on January 19, 2016.

Mr. Howatt introduced John Farber to discuss the status of settlement discussions regarding FERC Docket No. EL05-121. Before Mr. Farber requested Executive Session in order to obtain guidance on how to proceed with settlement issues he gave the Commission a brief background to refresh their memories regarding this docket.

A motion was made by Commissioner Gray and seconded by Commissioner Drexler to move into Executive Session.

Patty Davis-Oliva clarified the purpose of the Executive Session would be to seek strategic legal counsel with regard to how to proceed with the FERC settlement. Mr. Farber added that the Executive Session would also serve the purpose of conveying discussions that occurred pursuant to confidentiality rules at FERC which require maintaining confidentiality.

Commissioner Gray agreed to accept the friendly amendment; motion carried 3-0.

Upon returning from Executive Session Mr. Farber stated that due to the result of discussions held in Executive Session he received the guidance for him to participate further in any settlement discussions that may occur in this docket.

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

Respectfully submitted,

/s/ Donna Nickerson

Secretary