

**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, February 4, 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: Brenda Mayrack, Deputy Attorney General, James McC. Geddes, Esquire, Robert Howatt, Matthew Hartigan, Donna Nickerson, Natalie White, Jerry Platt, Pamela Knotts, and Ronnette Brown.

2. Acting Chair Conaway congratulated and presented Service Awards to both Heather Contant (5 years) and Pamela Knotts (10 years) for their years of service to the State of Delaware.
3. Commissioner Gray moved to approve the meeting minutes from the January 19, 2016 meeting as presented; seconded by Commissioner Drexler; motion carried 3-0.
4. REGULAR AGENDA ITEMS:

IN THE MATTER OF LEGISLATIVE PETITION FOR REVIEW AND  
RECOMMENDATIONS ON DELMARVA POWER & LIGHT COMPANY UTILITY  
BILL TRANSPARENCY (FILED JUNE 20, 2013) - PSC DOCKET NO. 13-250

James McC. Geddes, Esquire, appeared on behalf of Staff.

Regina Iorii, Esquire, and Ruth Ann Price appeared on behalf of the Division of the Public Advocate.

Todd Goodman, Esquire, appeared on behalf of Delmarva Power & Light Company.

John Nichols attended.

David Stevenson appeared on behalf of Caesar Rodney Institute (“CRI”).

A motion was made by Commissioner Gray and seconded by Commissioner Drexler to adopt Order No. 8819 as submitted; motion carried 3-0.

A verbatim transcript was made of this proceeding.

IN THE MATTER OF THE APPLICATION OF DELMARVA POWER & LIGHT COMPANY, EXELON CORPORATION, PEPCO HOLDINGS, INC., PURPLE ACQUISITION CORPORATION, EXELON ENERGY DELIVERY COMPANY, LLC AND NEW SPECIAL PURPOSE ENTITY FOR APPROVALS UNDER THE PROVISIONS OF 26 DEL. C. §§ 215 AND 1016 (FILED JUNE 18, 2014) – PSC DOCKET 14-193

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James McC. Geddes, Esquire, appeared on behalf of Staff.

Brenda Mayrack, Esquire, appeared on behalf of the Commission

Regina Iorii, Esquire, and Ruth Ann Price appeared on behalf of the Division of the Public Advocate.

Tom McGonigle, Esquire, Drinker Biddle & Reath, LLP, appeared on behalf of Pepco Holdings, Inc. and Exelon Corporation (“Joint Applicants”).

A motion was made by Commissioner Gray and seconded by Commissioner Drexler to grant Jeremy Firestone’s request to delay consideration of his Petition for Interlocutory Review until the February 23, 2016 Commission meeting; to consider Jeremy Firestone’s Motion for a Cease and Desist Order Restraining the Delaware Division of the Public Advocate from Taking Actions Antagonistic to the Amended Settlement Agreement and Motion to Quash, Vacate and Set Aside Unlawful Hearing Examiner Stay Order at the February 23, 2016 Commission meeting; and to set a deadline of February 9, 2016 for filing any responses to Jeremy Firestone’s Petition for Interlocutory Review; the motion carried 3-0.

Motion was made by Commissioner Drexler and seconded by Commissioner Gray to set a deadline of February 11, 2016 for filing any responses to Jeremy Firestone’s Motion for a Cease and Desist Order Restraining the Delaware Division of the Public Advocate from Taking Actions Antagonistic to the Amended Settlement Agreement and Motion to Quash, Vacate and Set Aside Unlawful Hearing Examiner Stay Order; the motions carried 3-0.

A motion was made by Commissioner Gray and seconded by Commissioner Drexler to set a deadline of February 16, 2016 for Jeremy Firestone to file any response to the submissions filed by the other parties; motion carried 3-0.

A verbatim transcript was made of this proceeding.

IN THE MATTER OF THE NOTICE OF POTENTIAL VIOLATION OF 26 *DEL. ADMIN. C.* §8001 AND ASSOCIATED CIVIL PENALTIES ASSESSED TO DELMARVA POWER & LIGHT COMPANY (OPENED SEPTEMBER 25, 2015) - PSC DOCKET NO. 15-1425

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

Regina Iorii, Esquire, and Ruth Ann Price appeared on behalf of the Division of the Public Advocate.

Pamela Scott, Esquire, and Robert Kitson, Engineer, appeared on behalf of Delmarva Power & Light Company.

A motion was made by Commissioner Gray and seconded by Commissioner Drexler, to adopt Order No. 8799 as submitted; motion carried 3-0.

A verbatim transcript was made of this proceeding.

IN THE MATTER OF THE FORMAL COMPLAINT OF EMBLEM ASSOCIATES, LLC AGAINST ARTESIAN WATER COMPANY, INC. REGARDING A CONTRIBUTION-IN-AID-OF-CONSTRUCTION (CIAC) DISPUTE (FILED JANUARY 6, 2016)– PSC COMPLAINT DOCKET NO. 16-0008

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Brenda Mayrack, Esquire, appeared on behalf of Staff.

Jack Schreppler, Esquire, appeared on behalf of Artesian Water Company, Inc.

Regina Iorii, Esquire, and Ruth Ann Price appeared on behalf of the Division of the Public Advocate.

Tom McGonigle, Esquire, Drinker Biddle & Reath LLP, appeared on behalf of Emblem Associates, LLC.

A motion was made by Commissioner Gray and seconded by Commissioner Drexler that the Commission approve the Stipulation and Proposed Consent Order resolving Emblem Associates, LLC's Motion for Expedited Relief; motion carried 3-0.

A verbatim transcript was made of this proceeding.

IN THE MATTER OF THE PROVISION OF STANDARD OFFER SUPPLY TO  
RETAIL CONSUMERS IN THE SERVICE TERRITORY OF DELMARVA POWER &  
LIGHT COMPANY (FILED APRIL 1, 2015; SUPPLEMENTED SEPTEMBER 2 & 4,  
2015 DECEMBER 15, 2015) - PSC DOCKET NO. 15-0889

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Pamela Knotts introduced Jim Letzelter of Liberty Consulting Group.

Mr. Letzelter gave a presentation regarding Standard Offer Supply, results for Tranche 2 auction.

A motion was made by Commissioner Drexler to convene into Executive Session seconded by Commissioner Gray to review the confidential version of Mr. Letzelter's presentation; the motion carried 3-0.

A motion was made by Commissioner Gray and seconded by Commissioner Drexler to reconvene to Public Session; the motion carried 3-0.

For the record, Acting Chair Conaway announced due to some technical difficulties, audio was recording partial of Mr. Letzelter's confidential presentation when Commission entered into Executive Session and was immediately removed from the Commission website.

Upon returning from Executive Session a motion was made by Commissioner Drexler and seconded by Commissioner Gray approving Tranche 2 auction results; the motion carried 3-0.

A verbatim transcript was made of this proceeding.

5. DIRECTOR'S COMMENTS

Deputy Director Hartigan announced the next Commission meeting would be held Tuesday, February 23, 2016.

There was no further business and the meeting adjourned at approximately 2:40 p.m.

Respectfully submitted,

/s/ Donna Nickerson

Secretary