CHRISTIAN & BARTON, LLP
ATTORNEYS AT LAW

Michael J. Quinan
Direct Dial: 804.697.4149
Direct Fax: 804.697.6149
E-mail: mquinan@cblaw.com

January 20, 2014

VIA OVERNIGHT MAIL

Ms. Alisa Bentley, Secretary
Delaware Public Service Commission
861 Silver Lake Boulevard
Cannon Building, Suite 100
Dover, Delaware 19904

Re: In the Matter of the Application of Delmarva Power & Light Company for An Increase in Electric Base Rates and Miscellaneous Tariff Changes
Docket No. 13-115

Dear Ms. Bentley:

Enclosed please find an original and 10 copies of the Answering Brief of Delaware Energy Users Group to be filed in the above-referenced matter.

Please contact me should you have any questions regarding this filing. Thank you for your consideration.

Sincerely,

Michael J. Quinan

MJQ/wcv

Enclosures

cc: Service List *(via electronic mail)*

BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF DELAWARE

IN THE MATTER OF THE APPLICATION OF	)	
DELMARVA POWER & LIGHT COMPANY FOR	)	
FOR AN INCREASE IN ELECTRIC BASE RATES	)	**PSC DOCKET NO. 13-115**
AND MISCELLANEOUS TARIFF CHANGES	)	
(FILED MARCH 22, 2013)	)	

ANSWERING BRIEF OF
DELAWARE ENERGY USERS GROUP

The Delaware Energy Users Group ("DEUG"), by counsel, hereby submits this brief in answer to the Opening Brief of Delmarva Power & Light Company ("Delmarva" or "Company").

The scope of this brief is limited to the issues addressed by DEUG in its prefiled testimony and at the evidentiary hearing, including specifically the Class Cost of Service Study and Revenue Allocation. The fact that other issues raised by Delmarva's application are not addressed herein is not intended to indicate agreement or acquiescence. Generally, DEUG supports the positions taken by the Commission Staff and the Division of the Public Advocate advocating for reduction of the revenue requirement.

1. The Class Cost of Service Study.

As explained by DEUG witness Nicholas Phillips, Jr., in his prefiled testimony,[1] the Class Cost of Service Study ("CCOSS") conducted by Delmarva and presented in support of its application fails to take into account certain necessary cost causation principles. Although Delmarva's CCOSS comports with generally accepted cost of service study methods, the

[1] Exh. 16, Phillips Direct.

classification and allocation of certain distribution plant accounts should be modified to classify a portion of those accounts as customer-related, rather than as demand-related or energy-related.[2]

Certain distribution investments that must be made to connect a customer to the system are unrelated to that customer's demand level or energy usage and should properly be considered as customer-related. Mr. Phillip's analysis shows that Delmarva's CCOSS fails to reflect a reasonable customer component in the classification and allocation of certain distribution plant costs, resulting in proposed rates for the General Service Primary ("GSP") customer class, in particular, that are inflated and that would produce revenues substantially above the cost of service. For this reason, Mr. Phillips has prepared and submitted a revised CCOSS that takes into account actual cost causation and that should be used to allocate any distribution revenue increase in this case, as well as in the design of distribution rates.[3]

Delmarva criticizes Mr. Phillips analysis because he uses data from a Minimum Distribution System ("MDS") study that Delmarva was required to file in Maryland, and because such MDS analysis has not been previously used by the Delaware Commission.[4] The problem with Delmarva's criticism of Mr. Phillips analysis is that is that it fails to recognize that he is simply proposing a reasonable correction of a clear error in Delmarva's analysis. Because Mr. Phillips was, necessarily and practically, unable to perform a new and fully blown CCOSS from scratch, Delmarva argues that his criticism of its CCOSS should be completely disregarded. But Mr. Philips does not argue that the costs associated with certain distribution plant accounts[5]

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[2] Id., p. 6.
[3] Id., Attachment NP-4. For purposes of comparison, in preparing his revised CCOSS, Mr. Phillips used Delmarva's requested revenue numbers. This should not be interpreted as an endorsement of those numbers for purposes of determining the dollar amount of the rate change to be authorized in this proceeding. Id., p. 2.
[4] Delmarva Opening Brief, pp. 106-07.
[5] Accounts 364 (Poles, Towers and Fixtures); 365 (Overhead Conductors and Devices); 366 (Underground Conduit); and 367 (Underground Conductors and Devices). See Exh. I6, p. 10.

should be classified as entirely customer-related. He is only arguing that they should not be classified as entirely demand-related. Such allocation of a portion of those cost as customer-related is only consistent with general ratemaking policy objectives, such as customer equity, conservation and revenue stability.[6] Delmarva's analysis completely disregards the obvious fact that the costs of constructing, maintaining and repairing a widespread distribution network to serve numerous residential customers is necessarily greater than the costs of providing distribution service to a relative handful of industrial customers. As Mr. Phillips explained, "[w]hile data requirements and certain aspects of developing a customer component may be criticized, using no customer component is clearly wrong and produces erroneous results."[7] Mr. Phillips recommends only a "conservative implementation" of a customer component that is fair and reasonable.

2. Revenue Allocation

The revenue allocation issue raised by DEUG relates to the rate Delmarva proposes to charge to the General Service Transmission ("GST") class of customers. Delmarva's rate design for the GST class fails to take into account the fact that those customers were offered a credit for power factor improvement that reduces costs and benefits the entire system. By failing to take that credit into account, Delmarva has significantly inflated the revenue burden imposed on the GST class. To correct for this, Mr. Phillips proposes that the percentage increase in GST rates granted by the Commission in this proceeding should be no more than one-half the system average percentage increase.[8]

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[6] Id., at 18.
[7] Id., at 20.
[8] Id., at 3.

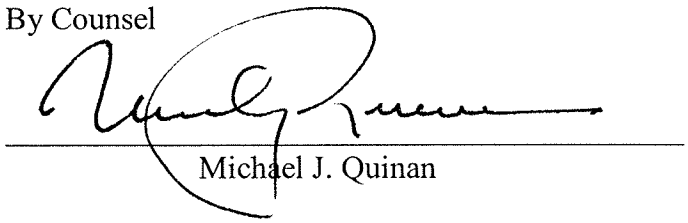
The GST class is a unique class of seven customers served at transmission voltage. The GST rate provides a credit to GST customers that increase their power factor above 90%. As Mr. Phillips explained, "[a]n increase in power factor is desirable and reflects a benefit to the system and generally lowers overall cost to the system."[9] The problem with Delmarva's revenue allocation in this case is that it allocates the cost of that credit back to the very customers who were offered the credit – which means that in effect there is no credit at all. The customer who was provided a supposed credit, and consequently took action at its own expense in response to a price signal designed to benefit the system, will see its rates go up in order to cover that credit. And the impact on these customers is a substantial one, raising the rate of return of the GST class from what would be a negative 4.23% to a positive 28%.[10]

Because the GST class receives service at transmission level, the only cost of distribution service it receives is the cost of metering and billing it. Mr. Phillips recommendation that any increase in the GST rate should be limited to no more than one half the system average percentage increase is more than fair.

Respectfully submitted,

DELAWARE ENERGY USERS GROUP

By Counsel



Michael J. Quinan

Michael J. Quinan
Christian & Barton, LLP
909 E. Main Street, Suite 1200

[9] Id., at 21.
[10] Id., at 21-22.

Richmond, Virginia 23219
mquinan@cblaw.com
(804) 649-4149 – telephone
(804) 649-4112 – telefax

Dated: January 20, 2014

#1533995

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF DELAWARE

IN THE MATTER OF THE APPLICATION OF DELMARVA POWER & LIGHT COMPANY FOR AN INCREASE IN ELECTRIC BASE RATES (Filed March 22, 2013)	))))	PSC DOCKET NO. 13-115

CERTIFICATE OF SERVICE

I hereby certify that on January 21, 2014 I caused the accompanying **Answering Brief of Delaware Energy User Group** to be served by electronic mail upon all parties on the attached service list.

Michael J. Quinan
Christian & Barton, LLP
909 E. Main Street, Suite 1200
Richmond, VA 23219
mquinan@cblaw.com
(804) 697-4149 – telephone
(804) 697-4112 – telefax

Dated: January 21, 2014

SERVICE LIST
DP&L ELECTRIC BASE RATE CASE
PSC DOCKET No. 13-115
As of 1/02/14

Mark Lawrence
Hearing Examiner
Delaware Public Service Commission
861 Silver Lake Boulevard, Suite 100
Dover, DE 19904
Tel: 302-736-7540
Fax: 302-739-4849
Email: mark.lawrence@state.de.us

James McC. Geddes, Esquire
Ashby & Geddes
500 Delaware Avenue, Suite 800
P.O. Box 1150
Wilmington, DE 19899
Tel: 302-654-1888
Fax: 302-654-2067
E-mail: jgeddes@ashby-geddes.com
jamesgeddes@mac.com

Amy Woodward
Public Utilities Analyst
Delaware Public Service Commission
861 Silver Lake Boulevard, Suite 100
Dover, DE 19904
Tel: 302-736-7566
Fax: 302-739-4849
Email: amy.woodward@state.de.us

Lisa Driggins
Public Utilities Analyst
Delaware Public Service Commission
861 Silver Lake Boulevard, Suite 100
Dover, DE 19904
Tel: 302-736-7550
Fax: 302-739-4849
Email: lisa.driggins@state.de.us

Patricia Gannon
Public Utilities Analyst
Delaware Public Service Commission
861 Silver Lake Boulevard, Suite 100
Dover, DE 19904
Tel: 302-736-7552
Fax: 302-739-4849
Email: patricia.gannon@state.de.us

Robert J. Howatt
Executive Director
Delaware Public Service Commission
861 Silver Lake Blvd, Suite 100
Dover, DE 19904
Tel: 302-736-7516
Fax: 302-739-4849
Email: robert.howatt@state.de.us

Janis Dillard
Deputy Director
Delaware Public Service Commission
861 Silver Lake Blvd, Suite 100
Dover, DE 19904
Tel: 302-736-7542
Fax: 302-739-4849
Email: janis.dillard@state.de.us

Julie "Jo" Donoghue, Esq.
Deputy Attorney General
Delaware Department of Justice
820 North French Street, 6th Floor
Wilmington, DE 19801
Tel: 302-577-8348
Email: jo.donoghue@state.de.us

Kathleen P. Makowski, Esq.
Deputy Attorney General
Public Service Commission
861 Silver Lake Blvd, Suite 100
Dover, DE 19901
Tel: 302-736-7510
Fax: 302-736-4849
Email: kathleen.makowski@state.de.us

Todd Goodman, Esq.
Associate General Counsel
Pepco Holdings, Inc. Legal Services
500 North Wakefield Drive
Mail Stop 92 DC 42
Newark, DE 19702
Tel: 302-429-3786
Fax: 302-429-3801
Email: todd.goodman@pepcoholdings.com

SERVICE LIST
DP&L ELECTRIC BASE RATE CASE
PSC DOCKET No. 13-115
As of 1/02/14

David Bonar
Public Advocate
Division of the Public Advocate
820 North French Street, 4th Floor
Wilmington, DE 19801
Tel: 302-577-5080
Fax: 302-577-3297
Email: david.bonar@state.de.us

Ruth Ann Price
Deputy Public Advocate
Division of the Public Advocate
820 North French Street, 4th Floor
Wilmington, DE 19801
Tel: 302-577-5014
Fax: 302-577-3297
Email: ruth.price@state.de.us

Regina Iorii, Esq.
Deputy Attorney General
Delaware Department of Justice
820 North French Street, 6th Floor
Wilmington, DE 19801
Tel: 302-577-8159
Email: regina.iorii@state.de.us

Andrea B. Maucher
Division of the Public Advocate
John G. Townsend Building
401 Federal Street, Suite 3 (SOS)
Dover, DE 19901
Phone: (302) 857-4620
Fax: (302) 739-4111
Email: andrea.maucher@state.de.us

Pamela J. Scott, Esq.
Associate General Counsel
Pepco Holdings, Inc. Legal Services
500 North Wakefield Drive
Mail Stop 92 DC 42
Newark, DE 19702
Tel: 302-429-3143
Fax: 302-429-3801
Email: pjscott@pepcoholdings.com

Todd A. Coomes, Esq.
Richards, Layton & Finger, P.A.
One Rodney Square
920 North King Street
Wilmington, Delaware 19801
Tel: 302-651-7700
Fax: 302-651-7701
E-mail: Coomes@RLF.com

Jay C. Ziminsky
Finance Manger
Pepco Holdings, Inc.
P.O. Box 9239
Mailstop 79NC59
Newark, DE 19714-9239
Tel: 302-454-4626
Fax: 302-283-6090
E-mail: jay.ziminsky@pepcoholdings.com

Heather G. Hall
Delmarva Power & Light Company
Regulatory Affairs
P.O. Box 9239
Mailstop 79NC59
Newark, DE 19714-9239
Tel: 302-454-4828
Fax: 302-454-4440
E-mail: heather.hall@pepcoholdings.com

Pamela Long
Delmarva Power & Light Company
Regulatory Affairs
P.O. Box 9239
Mailstop 79NC59
Newark, DE 19714-9239
Tel: 302-454-
Fax: 302-454-4440
E-mail: pamela.long@pepcoholdings.com

SERVICE LIST
DP&L ELECTRIC BASE RATE CASE
PSC DOCKET No. 13-115
As of 1/02/14

Intervenors:

David T. Stevenson
Director, Center for Energy Competitiveness
Caesar Rodney Institute
P.O. Box 795
Dover, DE 19903
Tele: (302) 236-2050
Fax: (302) 645-9017
Email: davidstevenson@caesarrodney.org

Thomas G. Noyes
Division of Energy & Climate
Delaware Department of Natural Resources and Environmental Control
1203 College Park Drive, Suite 101
Dover, DE, 19904
Tel: 302-735-3356
Fax: 302-739-1840
E-mail: thomas.noyes@state.de.us

Ralph K. Durstein III
Deputy Attorney General
Carvel State Office Building
820 N. French St.
Wilmington, DE 19801
Tel: 302-577-8510
Fax: 302-577-5866
E-mail: ralph.durstein@state.de.us

Delaware Energy Users Group (DEUG)
Michael J. Quinan, Esquire
Christian & Barton, L.L.P.
909 East Main Street, Suite 1200
Richmond, Virginia 23219
Phone: 804-697-4149
Fax: 804-697-6149
E-mail: mquinan@cblaw.com

Consultants:

DPA:

Andrea C. Crane
Benjamin D. Cotton
The Columbia Group, Inc.
P.O. Box 810
Georgetown, CT 06829
Phone: (203) 438-2999
Fax: (203) 894-3274
E-mail: ctcolumbia@aol.com

Courier Delivery:
90 Grove Street, Suite 200
Ridgefield, CT 06877

David E. Dismukes, Ph.D
Acadian Consulting Group
5800 One Perkins Place, Ste. 5-F
Baton Rouge, LA 70808
Phone: (225) 769-2603
Fax: (225) 769-2608
E-mail: daviddismukes@acadianconsulting.com

Electronic Copies Only:
Kim Dismukes
kimdismukes@acadianconsulting.com
Alex Aguila
alexguila@acadianconsulting.com

Lane Kollen
570 Colonial Park Drive, Suite 305
Roswell, Georgia 30075
Tel: 770-992-2027
Fax: 770-992-0806
E-mail: lkollen@jkenn.com

Staff:

David C. Parcell
Technical Associates, Inc.
9030 Stony Point Parkway, Ste. 580
Richmond, VA 23235
Phone: (804) 644-4000
Fax: (804) 272-3598
E-mail: parcelld@tai-econ.com

SERVICE LIST
DP&L ELECTRIC BASE RATE CASE
PSC DOCKET No. 13-115
As of 1/02/14

David Peterson
Chesapeake Regulatory Consultants
10351 S. Maryland Blvd., Ste. 202
Dunkirk, MD 20754
Phone: 410-286-0503
E-mail: davep@chesapeake.net

Gary B. Cohen
GBC Consulting
221 Hoyer Court
Wilmington, DE 19803
Phone: 302-529-7090
E-mail: garybcohen@aol.com

Michael J. Majoros, Jr.
Dr. Karl Pavlovic
Mitch Semanik
Snavely King Majoros O'Connor & Lee
8100 Professional Place, Ste. 306
Landover, MD 20785
Phone: 202-371-9153
Fax: 202-842-4966
E-mail: mmajoros@snavely-king.com
kpavlovic@snavely-king.com
msemanik@snavely-king.com

Stephanie Vavro, Principal
Silverpoint Consulting LLC
1519 Whispering Woods Circle
Allentown, PA 18106
Phone: 610-530-7711
E-mail: vavro@silverpointconsulting.com