BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF DELAWARE

IN THE MATTER OF THE APPLICATION OF	)	
DELMARVA POWER AND LIGHT COMPANY	)	
FOR APPROVAL OF QUALIFIED FUEL	)	
CELL PROVIDER PROJECT TARIFFS	)	PSC DOCKET NO. 11-362
(Filed August 19, 2011)		

ORDER NO. 8033

FOR ADMISSION AS AN INTERVENOR

AND NOW, this 7th day of September, 2011, pursuant to the authority granted to this Hearing Examiner in PSC Order No. 8025 dated September 6, 2011, and having considered the Petition for Leave to Intervene ("the Petition") filed by the State of Delaware Department of Natural Resources and Environmental Control("DNREC"), this Hearing Examiner determines the following:

1. DNREC filed a Petition to Intervene in the above-captioned Docket on September 2, 2011. In the Petition, DNREC addressed the subject Application filed by Delmarva Power & Light Company. ("Delmarva")

2. In PSC Order No. 8025, the Commission ordered that the deadline for filing petitions for intervention was September 6, 2011. (See Order, ¶3.)

3. Thus, DNREC's Petition to Intervene was timely filed.

4. In its Petition, DNREC alleges that DNREC's "interest will not be adequately represented by the parties to this proceeding." Specifically, DNREC alleges that: 1) unlike the other participants, DNREC is responsible for the management of Delaware's environment

which is in the public interest; and 2) DNREC has particularized expertise and experience for "considering the effects of the Bloom Energy project on Delaware's Renewable Energy Portfolio Standard and environmental quality." DNREC contends that its particularized experience and expertise will be useful to the Commission in deciding the issues in this Docket. (*See* CRI's Petition to Intervene at ¶¶4,5.)

6. No party has opposed DNREC's Petition.

7. This Hearing Examiner has not received any communication, either supporting or opposing, the Petition from the parties.

8. For purposes of considering the merits of DNREC's Petition, I assume as true the representations made in DNREC's Petition. Specifically, DNREC has adequately alleged that it has particularized expertise and experience which may be valuable to the Commission in deciding the issues in this docket. Thus, DNREC has satisfied the intervention requirements of Rule 21 of the Commission's *Rules of Practice and Procedure*.

9. There is no need to disturb the Procedural Schedule ordered by the Commission in PSC Order No. 8025.

Now, therefore, **IT IS ORDERED:**

1. Accordingly, the Petition for Intervention filed by the State of Delaware Department of Natural Resources and Environmental Control ("DNREC") is **GRANTED.**

2. The Procedural Schedule established by the Commission in PSC Order No. 8025 (September 6, 2011) will not be modified,

changed or varied in any respect due to this Order. However, DNREC shall be added to the Service List for this Docket. DNREC's contact information is contained in its Motion.

BY ORDER OF THE COMMISSION

Mark Lawrence,
Hearing Examiner