

**BEFORE THE PUBLIC SERVICE COMMISSION**  
**OF THE STATE OF DELAWARE**

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

**ORDER NO. 8403**

**AND NOW**, this 2<sup>nd</sup> day of July, 2013;

**WHEREAS**, on June 20, 2013, Representative John Kowalko, State Senators Dave Lawson and Gary Simpson on behalf of nineteen other members of the Delaware Legislature filed a Petition (the "Petition") requesting this Commission to open a docket to review the appropriate level of detail contained in monthly billing statements prepared by Delmarva Power & Light Company ("Delmarva" or the "Company") and sent to its customers; and

**WHEREAS**, the Petition alleges that customers of Delmarva do not know how much they are being charged each month for various legislative mandated initiatives such as the Renewable Energy Portfolio Standards, The Qualified Fuel Cell Provider ("QFCP") project, Low Income Assistance and others; and

**WHEREAS**, over the years the General Assembly has mandated certain fees to be charged to Delmarva customers, either as a matter of good public policy (Low Income), environmental policy (Renewable Portfolio Standard), or as part of a larger economic initiative ("QFCP") ; and

**WHEREAS**, while these fees serve a public good, customers can not determine from a review of their respective bills, how much of their

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bill is dedicated to the support of these various General Assembly initiatives; and

**WHEREAS**, although none of these legislative mandates specifically outlined how these fees should be reflected in customers' bills, the Petition suggests there was an expectation that the fees would be clearly shown on individual customer's bills so that Delmarva customers could understand the financial impact of these various initiatives and the cost of each one as they affect energy prices in the State of Delaware;

**WHEREAS**, the Commission having reviewed the Petition and believing that a review of the issues raised therein concerning the appropriate level of detail that should be included in individual Delmarva customer bills is an important issue and within its general authority under Title 26 of the Delaware Code to review;

**NOW, THEREFORE, IT IS HEREBY ORDERED BY THE AFFIRMATIVE  
VOTE OF NOT FEWER THAN THREE COMMISSIONERS:**

1. That under the Commission's general authority under Title 26 of the Delaware Code it has right and responsibility to investigate any issue involving the transparency of charges for legislative mandates included in utility customer's bills.

2. That the Commission finds that the issues raised in the Petition concerning the level of detail that should be included in Delmarva's customers' bills is an important issue that deserves further review and analysis.

3. That a docket shall be opened to review the appropriate level of detail that customers should expect in their electric bills and Staff will have the responsibility to conduct that review, after appropriate public notice of the opening of this docket and time for all interested parties to intervene should they wish to do so, and report back to the Commission on its recommendations regarding utility bill transparency related to Delmarva and its customer billing system.

4. That the Commission Staff shall give public notice of the Petition filed by twenty-two members of the Delaware Legislature, by publishing notice in the form attached hereto as Exhibit "A" in the legal classified section of The News Journal and The Delaware State News newspapers on **July 9 and 10, 2013**.

5. That Commission Staff shall appoint a Case Manager who shall act as a Presiding Officer for this proceeding and who shall be responsible for setting a schedule and performing other administrative duties. Pursuant to Rule 21 of the Commission's Rules of Practice and Procedure, the Presiding Officer is specifically delegated the authority to grant or deny petitions seeking leave to intervene and for admission of counsel *pro hac vice*.

6. That the deadline for filing petitions to intervene pursuant to Rule 21 of the Commission's Rules of Practice and Procedure shall be **Friday, August 9, 2013**. Late-filed petitions to intervene will not be granted unless good cause is shown.

7. That the Company is hereby placed on notice that the costs of the proceedings will be charged to it under the provisions of 26 Del. C. §114(b)(1).

8. That the Commission reserves the jurisdiction and authority to enter such further Orders in this matter as may be deemed necessary and proper.

BY ORDER OF THE COMMISSION:

/s/ Dallas Winslow  
Chair

/s/ Jaymes B. Lester  
Commissioner

/s/ Joann T. Conaway  
Commissioner

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Commissioner

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Commissioner

ATTEST:

/s/ Alisa Carrow Bentley  
Secretary

**E X H I B I T "A"**

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**PUBLIC NOTICE OF THE PETITION OF STATE REPRESENTATIVE JOHN KOWALKO,  
STATE SENATOR DAVE LAWSON, AND STATE SENATOR GARY SIMPSON SEEKING  
RELIEF ON BEHALF OF DELMARVA POWER & LIGHT CUSTOMERS REGARDING UTILITY  
BILL TRANSPARENCY**

**TO: ALL CUSTOMERS OF DELMARVA POWER & LIGHT COMPANY AND OTHER  
INTERESTED PERSONS:**

On June 20, 2013, Representative John Kowalko, State Senators Dave Lawson and Gary Simpson on behalf of nineteen other members of the Delaware Legislature filed a Petition (the "Petition") requesting the Delaware Public Service Commission (the "Commission") to open a docket to review the appropriate level of detail contained in monthly billing statements prepared by Delmarva Power & Light Company ("Delmarva" or the "Company") and sent to its customers.

The Petition alleges that customers of Delmarva do not know how much they are being charged each month for various legislative mandated initiatives such as the Renewable Energy Portfolio Standards, The Qualified Fuel Cell Provider ("QFCP") program, Low Income Assistance and others.

The General Assembly has mandated certain fees be charged to Delmarva customers, either as a matter of good public policy (Low Income), environmental policy (Renewable Portfolio Standard), or as

part of a larger economic initiative ("QFCP"). And while these fees serve a public good, customers cannot determine from a review of their respective bills, how much of their bill is dedicated to the support of these various General Assembly initiatives.

Although none of these legislative mandates specifically outlined how these fees should be reflected in customers' bills, the Petition suggests there was an expectation that the fees would be clearly shown on individual customer's bills so that customers could understand the financial impact of these various initiatives and the cost of each one as they affect energy prices in the State of Delaware.

At its meeting on July 2, 2013, the Commission ordered that a docket shall be opened to review the appropriate level of detail that customers should expect in their electric bills and Commission Staff will have the responsibility to conduct that review and report back to the Commission on its recommendations regarding utility bill transparency related to Delmarva and its customer billing system.

If you wish to formally participate as a party in this matter, with the right to present evidence and be represented by counsel, you must file with the Commission a written petition asking for leave to intervene in accordance with the requirements of the Commission's Rules of Practice and Procedure (26 Del. Admin. C. §1001-2.9) **on or before August 9, 2013**. All such petitions should be sent to the Commission, at 861 Silver Lake Boulevard, Cannon Building, Suite 100, Dover, Delaware 19904, with attention to "PSC Docket No. 13-250." Petitions filed after the deadline of August 9, 2013, will not be considered except for good cause shown.

You are invited to review the Petition and supporting documents to determine how your interest may be affected. You may review documents posted on the Commission's website at <http://dep.sc.delaware.gov/>. If you would like to review documents at the Commission's offices, please contact Monica Hall at [monica.hall@state.de.us](mailto:monica.hall@state.de.us) to arrange a time for your review. You may also review a copy of Petition at the office of the Division of the Public Advocate located at the Carvel State Office Building, 4th Floor, 820 North French Street, Wilmington, Delaware 19801. Please call (302) 577-5077 to arrange for a time to review the documents at that location.

If you wish to request copies of documents in this matter, please submit a Freedom of Information Act Request Form. This form may be found at <http://smu.portal.delaware.gov/cgi-bin/mail.php?foia-request&subj=DOS>. There is also a link to the Freedom of Information Act Request Form on the Commission's website, <http://dep.sc.delaware.gov/>. The Commission will respond to your request in accordance with the Delaware Freedom of Information Act, 29 *Del. C. ch. 100*.

If you have a disability and wish to participate or to review the materials in this matter, please contact the Commission to discuss any auxiliary aids or services you might need to help you. You may contact the Commission in person, by writing, by telephone (including text telephone), by Internet e-mail, or other means. If you have questions about this matter, you may call the Commission at 1-800-282-8574 (toll-free in Delaware) or (302) 736-7500 (voice and text

telephone). You may also send questions regarding this matter by Internet e-mail addressed to [psc@state.de.us](mailto:psc@state.de.us).