

**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 ) PSC DOCKET NO. 13-115  
(FILED MARCH 22, 2013) )

**ORDER No. 8411**

**FOR ADMISSION AS AN INTERVENOR**

**AND NOW**, this 2nd day of July, 2013, pursuant to the authority granted to me in PSC Order No. 8337 dated April 9, 2013, this Hearing Examiner having considered the Petition for Leave to Intervene Out Of Time ("the Petition") filed by the Delaware Energy Users' Group ("DEUG") on June 27, 2013, and there being no objection thereto filed by any party of record;

**NOW, THEREFORE,**

1. The Petition is granted.
2. In PSC Order No. 8337, the Commission ordered that the deadline for filing Petitions for Intervention was May 7, 2013. (See Order, ¶8.)
3. Thus, DEUG's Petition to Intervene was filed out of time. Pursuant to Rule 21(b) of the Commission's *Rules of Practice and Procedure*, late intervention may be permitted upon good cause shown.
4. This docket involves Delmarva Power & Light Company's ("Delmarva Power") Application seeking to increase the electric rates of residential, commercial and industrial customers.

5. In its Petition, DEUG alleges that it represents five (5) significant industrial customers of Delmarva Power, including Christiana Care Health Services and the E.I du Pont de Nemours & Co. (DEUG's Petition to Intervene, ¶¶1,2.)

6. DEUG's Petition further alleges that DEUG's members' interests will not be adequately represented by any of the other parties to this proceeding and DEUG's members' interest may be prejudiced if intervention is not permitted. (DEUG's Petition to Intervene, ¶3.)

7. According to the Petition, DEUG's Counsel only recently became aware of this case. (DEUG's Petition to Intervene at ¶7.) However, Counsel alleges that, after he became aware, DEUG "has moved forward as quickly as possible to become familiar with the application, to prepare a plan for participation, to determine the interest of its [5 industrial] members in participating, and secure the authority to do so, and to prepare and submit the necessary pleadings. (DEUG's Petition to Intervene, ¶7.)

8. No party has opposed DEUG's Petition.

9. For purposes of considering the merits of DEUG's Petition, I assume as true the representations made in DEUG's Petition. Specifically, DEUG's has adequately alleged that it has particularized interest, expertise and experience with prior electric rate cases which may be valuable to the Commission in deciding the issues in this docket. Thus, DEUG has satisfied the intervention requirements and has also shown good cause for late intervention, as required by Rule 21 of the Commission's *Rules of Practice and Procedure*.

10. DEUG has also agreed to comply with the existing Procedural Schedule which has been agreed upon by the parties and adopted by the Hearing Examiner.

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

1. Accordingly, the Petition for Leave To Intervene Out Of Time filed by the Delaware Energy Users' Group ("DEUG") is **GRANTED**.

2. DEUG shall be added to the Service List for this Docket, as described in its Petition.

**BY ORDER OF THE COMMISSION**

/s/ Mark Lawrence  
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Mark Lawrence  
Hearing Examiner