

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF DELAWARE

IN THE MATTER OF THE COMPLAINT)	
FILED BY STONEHENGE ADVISORS, INC.)	
AGAINST DELMARVA POWER & LIGHT)	PSC COMPLAINT
COMPANY CONCERNING INAPPROPRIATE)	DOCKET No.363-09
BILLING (FILED July 29, 2009))	

ORDER NO. 7745

AND NOW, this 16th day of March, 2010:

WHEREAS, on July 30, 2009, Stonehenge Advisors, Inc. ("Stonehenge"), through its president, Daniel A. Sablosky, filed a formal complaint against Delmarva Power and Light Company ("Delmarva") alleging that Delmarva had improperly credited a payment made by Stonehenge (the managing agent for River Club Apartments) or River Club Apartments or its owner, ESF Bid Company, LLC, a/k/a Bidding Company, LLC, (hereinafter referred to as ESF Bid Company)(collectively "the Complainants"), to the account of the prior owners of River Club Apartments;

WHEREAS, as stated by the Hearing Examiner in her Report and Recommendations, which is attached as "Attachment A" hereto, repeated requests have been made to the Complainants' representatives; to wit, Daniel A. Sablosky, President of Stonehenge Advisors Inc., Ethan S. Fellheimer, President and Sole Member of ESF Bid Company, LLC, and Manager of River Club Apartments, and Scott G. Wilcox, Esquire, counsel for ESF Bid Company, LLC, to provide answers to interrogatories forwarded to

these representatives by the Hearing Examiner, but they have failed to comply;

WHEREAS, as a result of Complainants' representatives failure to comply with the Hearing Examiner's requests and to diligently prosecute this case there remain defects in the complaint regarding, at least, the identity of the complainant(s);

WHEREAS, the complaint is further deficient because it alleges facts but it does not contain a sworn verification signed by a bona fide officer of the corporation or association of the complainant in whose name this action has been brought pursuant to Rule 7(b) of the Commission's Rules of Practice and Procedure;

WHEREAS, representatives of the complainant(s) have failed to take the minimal steps to perfect the formal complaint and to make this matter ready for evidentiary hearings since its filing on July 20, 2009; and

WHEREAS, as a result of Complainant(s) and their representatives nugatory and dilatory behavior in prosecuting this case, the Commission concludes that this complaint docket should be closed;

NOW, THEREFORE, IT IS HEREBY ORDERED BY THE AFFIRMATIVE VOTE OF NO FEWER THAN THREE COMMISSIONERS:

1. That the Commission accepts and approves the Hearing Examiner's Report and Recommendations which is attached hereto as "Attachment A."

2. That this complaint is dismissed with prejudice and this docket is closed.

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

BY ORDER OF THE COMMISSION:

/s/Arnetta McRae
Chair

/s/Joann T. Conaway
Commissioner

/s/Jaymes B. Lester
Commissioner

/s/Dallas Winslow
Commissioner

/s/Jeffrey Clark
Commissioner

ATTEST:

/s/Alisa Carrow Bentley
Secretary