

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

IN THE MATTER OF THE APPLICATION OF )  
TAYLOR CONSULTING AND CONTRACTING, )  
LLC FOR A CERTIFICATE TO PROVIDE ) PSC DOCKET NO. 10-151  
ELECTRIC SUPPLY SERVICES WITHIN THE )  
STATE OF DELAWARE (FILED APRIL 23, )  
2010) )

**ORDER NO. 7773**

**AND NOW**, this 4<sup>th</sup> day of May 2010:

**WHEREAS**, On April 23, 2010, Taylor Consulting and Contracting, LLC ("Taylor Consulting" or "Company"), filed an application seeking certification as a retail electric supplier in order to broker the sale or purchase of electric supply service (the "Application"). See 26 *Del. C.* §§1001(2), 1001(11), 1012(a). Under the Electric Utilities Restructuring Act of 1999 (the "Act"),<sup>1</sup> "electric suppliers", which includes brokers, are not "public utilities," and, accordingly, the resulting sales of electric supply service to retail customers are not subject to traditional forms of rate-regulation. See 26 *Del. C.* §§102(2), 202(f).<sup>2</sup>

**WHEREAS**, In the Application, the Company reports that it is a broker that will utilize appropriate energy procurement strategies to meet the needs of its commercial and industrial customers in Delaware. Staff reports that the Company's application fulfills all of the requirements for an Electric Supplier Certificate and to act as a broker as set forth in the Commission's Rules for Certification and

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<sup>1</sup> See 26 *Del. C.* ch. 10 (2004 Supp.), as amended by the "Electric Utility Retail Customer Supply Act of 2006," 75 *Del. Laws Ch.* 242 (2006).

Regulations of Electric Suppliers (the "ES Rules"). In particular, Staff reports that the Company appears to possess the financial, operational, managerial, and technical capabilities to operate as a broker of electric supply service. Based on Staff's report, the Commission hereby issues to Taylor Consulting an Electric Supplier Certificate, allowing it to broker sales and customer purchases of electric supply services in the State of Delaware consistent with the scheme adopted by the Act and the ES Rules.

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

1. That Taylor Consulting and Contracting, LLC is hereby granted under 26 Del. C. §1012(a) and the Commission's "Rules for Certification and Regulations of Electric Suppliers" a certificate to do business, and operate, as an "Electric Supplier" (broker) within the State of Delaware. Under this Certificate, Taylor Consulting and Contracting, LLC is authorized to broker Electric Supply Service within this State in accordance with 26 Del. C. ch. 10.

2. That Taylor Consulting and Contracting, LLC shall at all times provide its brokerage of Electric Supply Service in accordance with the requirements imposed by 26 Del. C. ch. 10 and the Commission's "Rules for Certification and Regulations of Electric Suppliers" as presently adopted, or as may be hereafter amended or supplemented. Taylor Consulting and Contracting, LLC is hereby notified that a violation of any applicable statute, rule or other

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<sup>2</sup> Under the Act, a "broker" is an agent or intermediary in the sale or purchase of electricity to, or by, retail electric customers. Although a broker never takes "title" to the electric supply product, the Act deems a broker an "electric supplier." See 26 Del. C. §§1001(2), 1001(11)c.

controlling authority may be enforced by the sanctions permitted by 26 Del. C. §1012(a) and §10.2 of the "Rules for Certification and Regulations of Electric Suppliers".

3. That Taylor Consulting and Contracting, LLC shall, pursuant to the provisions of 26 Del. C. §1012(c)(2) and §§3.9 and 3.10 of the "Rules for Certification and Regulations of Electric Suppliers," file such reports and pay such fees and assessments as may be required, or may be imposed, by 26 Del. C. §§114 and 115.

4. That Taylor Consulting and Contracting, LLC consents to the jurisdiction of the courts of the State of Delaware for all acts or omissions related to its offering of electric supply services in this State.

5. That Taylor Consulting and Contracting, LLC 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).

6. 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/ Jeffrey J. Clark  
Commissioner

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Commissioner

ATTEST:

/s/ Alisa Carrow Bentley  
Secretary