

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. 09-414
AND MISCELLANEOUS TARIFF CHANGES)
(FILED SEPTEMBER 18, 2009))

IN THE MATTER OF THE APPLICATION)
OF DELMARVA POWER & LIGHT)
COMPANY FOR APPROVAL OF A) PSC DOCKET NO. 09-276T
MODIFIED FIXED VARIABLE)
RATE DESIGN FOR ELECTRIC RATES)
(FILED JUNE 25, 2009))

ORDER No. 8063

AND NOW, this 17th day of October, 2011, pursuant to the authority granted to this Hearing Examiner in PSC Order No. 7671, dated October 6, 2009, and PSC Order No. 8011, dated August 9, 2011, and having considered the Petition for Leave to Intervene ("the Petition") filed by John A. Nichols, Citizen, this Hearing Examiner finds as follows:

1. On October 5, 2011, Mr. Nichols filed a petition to intervene in the rate design portion of the above-captioned case.

2. In PSC Order No. 8011, the Commission ordered that the deadline for filing petitions for intervention was October 5, 2011.

3. Consequently, Mr. Nichols Petition for Leave to Intervene was timely filed before the October 5 deadline.

4. In his Petition, Mr. Nichols asserts that among his reasons for seeking intervention are that:

a. he has undertaken extensive research and publication of information regarding Delaware energy policy,

b. he is a member of the 9-12 Delaware Patriots, a nonprofit corporation, who he represents is dedicated to "providing non-partisan information to membership to enable them to make informed decision about public policy issues," and;

c. he "seeks to provide an opposing point of view to decoupling that may not be represented during the workshop."

5. On Monday, October 10, 2011, I forwarded a copy of Mr. Nichols' petition to the parties of record asking them to provide me with their objections, if any, no later than Thursday, October 13, 2011.

6. I have not received any objections by the parties of record.

7. There being no objection to the petition filed by the parties I will reserve my consideration of the merits of this petition.

Now, therefore, IT IS ORDERED:

1. Accordingly, the Petition for Intervention filed by John A. Nichols, Citizen, is **GRANTED**.

2. John A. Nichols, Citizen, is placed on notice that the first stakeholder workshop to discuss the rate design issues in this consolidated matter will be held at 10:00 a.m. on Tuesday, October 25, 2011 in the Hearing Room at the Commission's offices in Dover located at 861 Silver Lake Boulevard, Cannon Building, Suite 100, Dover, Delaware 19904.

3. Further, John A. Nichols, Citizen, is hereby placed on notice that he is required to comply *in all respects* with the Commission's *Rules of Practice and Procedure* as well as all Delaware statutes, rules and regulations pertinent to this consolidated Docket.

BY ORDER OF THE COMMISSION

/s/ Ruth Ann Price
Ruth Ann Price,
Senior Hearing Examiner