

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. 11-528
AND MISCELLANEOUS TARIFF CHANGES)
(FILED DECEMBER 3, 2011))

ORDER NO. 8107

FOR ADMISSION AS AN INTERVENOR

AND NOW, this 26th day of January, 2012, pursuant to the authority granted to this Hearing Examiner in PSC Order No. 8088, dated January 10, 2012, and having considered the Petition for Leave to Intervene ("the Petition") filed by John A. Kowalko, Jr., State Representative for the 25th District, this Hearing Examiner finds as follows:

1. Delmarva Power & Light Company ("Delmarva") filed with the Delaware Public Service Commission ("Commission") an application to, among other things, increase its electric base rates on December 2, 2011.

2. On or about December 13, 2011, State Representative John A. Kowalko, Jr. filed a petition to intervene in the above-captioned case.

3. In PSC Order No. 8088 (Jan. 10, 2012), the Commission opened the docket in this matter and ordered that petitions for intervention must be filed no later than February 17, 2012.

4. Representative Kowalko's petition was filed before the docket was opened by the Commission; therefore, it is clearly timely filed.

5. In his Petition, State Representative Kowalko asserts that among his reasons for seeking intervention are: (1) he is a Delmarva Power electric customer, (2) he is Chairman of the Delaware House Energy Committee and has held public comment sessions on various utility topics, (3) he has been active for a number of years in energy policy and utility affordability issues, (4) he believes the interests of his constituents and all Delmarva customers are better directly represented by someone who has been elected by them, (5) he has concerns that Delmarva's rate increase requests and AMI expenses have not been proven to be beneficial to the average customer therefore the shareholders should bear these costs and (6) he does not believe that lower income higher usage customers interests are adequately represented in these proceedings.

6. On January 5, 2012, by electronic mail, I asked the parties - Delmarva, Commission Staff and the Division of the Public Advocate - to file any objections they had to the petition between January 12 and January 17, 2012.¹

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

¹ In anticipation that the Commission would entertain an order opening this docket at its January 10, 2012 Public Meeting, I forwarded Representative Kowalko's petition to the parties with my electronic mail message on January 5, 2012. This procedure allowed them additional time to discuss the merits of the petition and any reasons to object.

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

1. Accordingly, since I have not received any objections to the Petition for Intervention filed by State Representative John A. Kowalko, Jr., the petition is **GRANTED**.

2. Further, State Representative Kowalko 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 procedural schedules, filing deadlines, Delaware statutes, rules and regulations pertinent to this Docket.

BY ORDER OF THE COMMISSION

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