

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF DELAWARE

IN THE MATTER OF THE APPLICATION OF)
CHESAPEAKE UTILITIES CORPORATION)
FOR APPROVAL OF A CHANGE IN ITS) PSC DOCKET NO. 13-351F
GAS SALES SERVICE RATES ("GSR"))
TO BE EFFECTIVE NOVEMBER 1, 2013)
(FILED SEPTEMBER 3, 2013))

ORDER NO. 8492

AND NOW, this 5th day of December, 2013, the Delaware Public Service Commission ("Commission") determines and orders the following:

WHEREAS, on September 3, 2013, Chesapeake Utilities Corporation ("Chesapeake" or "the Company") filed with the Delaware Public Service Commission (the "Commission") the above-captioned application (the "Application") seeking approval to change its Gas Sales Service Rates ("GSR") effective on November 1, 2013; and

WHEREAS, pursuant to 26 Del. C. §§303(b), 304, and 306, the Commission ordered that following proposed changes to the Gas Sales Service rates, firm balancing rates, and interruptible balancing rate of Chesapeake and the accompanying proposed tariff revisions set forth in the Application were permitted to become effective for natural gas usage on or after November 1, 2013, subject to refund and pending the Commission's final decision;¹ and

WHEREAS, pursuant to 26 Del. C. §502 and 29 Del. C. ch. 101, the Commission also designated Mark Lawrence to act as the Hearing Examiner for this docket, ordered that Hearing Examiner Lawrence schedule and conduct such public evidentiary hearings as may be

¹ See Order No. 8458 (September 26, 2013).

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necessary or appropriate to develop a full and complete record concerning this matter, and ordered that Hearing Examiner Lawrence report thereafter to the Commission his proposed findings and recommendations based on the evidence presented;² and

WHEREAS, pursuant to 26 *Del. Admin. C.* §1001-2.9 and Order No. 8458, the Commission further delegated to Hearing Examiner Lawrence the authority to grant or deny petitions to intervene in this matter and the authority, under 26 *Del. C.* §102A, to determine the content, form, and manner of any further notice in this matter; and

WHEREAS, due to the current caseload of Hearing Examiner Lawrence and the hiring of a new additional Hearing Examiner who will be able to assist the Commission, the Commission deems it appropriate to re-assign this matter to another Hearing Examiner;

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

1. The Commission designates Campbell Hay as the Hearing Examiner for this docket pursuant to 26 *Del. C.* §502 and 29 *Del. C.* ch. 101. Hearing Examiner Hay shall schedule and conduct such public evidentiary hearings as may be necessary or appropriate to develop a full and complete record concerning this matter. Pursuant to 29 *Del. C.* §10126(a), Hearing Examiner Hay shall thereafter report to the Commission his recommended findings of fact based upon the evidence, recommended conclusions of law, and recommended decision. Pursuant to 26 *Del. Admin. C.* §§ 1001-2.9 and 2.1, Hearing Examiner Hay is

² See Order No. 8458, ¶2 (September 26, 2013).

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delegated the authority to grant or deny petitions to intervene and applications of counsel for admission pro hac vice. In addition, Hearing Examiner Hay is delegated the authority, under 26 *Del. C.* §102A, to determine the content, form, and manner of any further notice in this matter.

2. Because the parties in this docket have only recently begun exchanging discovery, the Commission determines that the currently existing procedural schedule should stay in effect for this docket.

3. Chesapeake is hereby put on notice that it will be charged the costs incurred in connection with this proceeding under the provisions of 26 *Del. C.* §114(b)(1).

4. 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:

Chair

/s/ Joann T. Conaway
Commissioner

/s/ Jaymes B. Lester
Commissioner

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/s/ Jeffrey J. Clark
Commissioner

Commissioner

ATTEST:

/s/ Alisa Carrow Bentley
Secretary