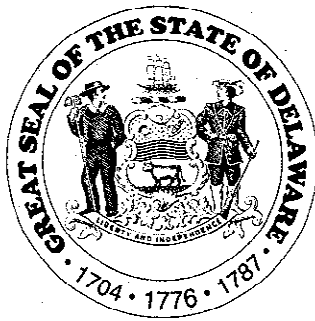


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DEPARTMENT OF JUSTICE
KENT COUNTY
102 WEST WATER STREET
DOVER, DELAWARE 19904

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September 2, 2011

Alisa Bentley
Secretary
Public Service Commission
861 Silver Lake Boulevard
Cannon Building, Suite 100
Dover, DE 19904

By Hand Delivery for Filing

Re: In the Matter of the Application of Delmarva Power & Light Company for
Approval of Qualified Fuel Cell Provider Project Tariffs
PSC Docket No. 11-362

Dear Ms. Bentley:

On behalf of the Department of Natural Resources and Environmental Control, please find enclosed for filing the original and ten copies of the Department's petition to intervene in the above-referenced matter. Thank you for your assistance in this matter.

Sincerely,

Valerie M. Satterfield
Deputy Attorney General

Enclosure

cc: Service List

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

IN THE MATTER OF APPLICATION)
OF DELMARVA POWER & LIGHT)
COMPANY FOR APPROVAL OF)
QUALIFIED FUEL CELL PROVIDER)
PROJECT TARIFFS)
(FILED AUGUST 19, 2011))

PSC DOCKET NO. 11-362

**PETITION FOR LEAVE TO INTERVENE OF THE
DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL**

Pursuant to Rule 21 of the Rules of Practice and Procedure of the Delaware Public Service Commission (the "Commission"), the State of Delaware Department of Natural Resources and Environmental Control ("DNREC") hereby petitions the Commission for leave to intervene as a party in this matter.

In support of its petition for leave to intervene, DNREC states the following:

1. DNREC is an agency of the State of Delaware created pursuant to 29 *Del. C.* § 8001, *et seq.* DNREC's mission "is to ensure the wise management, conservation, and enhancement of the State's natural resources, protect public health and the environment, provide quality outdoor recreation, improve the quality of life and educate the public on historic, cultural, and natural resource use, requirements and issues."
2. DNREC's contact information, as required by Rule 21(i) of the Rules of Practice and Procedure, is as follows:

Thomas G. Noyes
Division of Energy & Climate
Delaware Department of Natural Resources and Environmental Control
1203 College Park Drive, Suite 101
Dover, DE, 19904
Phone: (302) 735-3356
Fax: (302) 739-1840

All notices and correspondence should be directed to the above address.

3. DNREC's interest in the outcome of this proceeding is ensuring the Bloom Energy project is implemented in a way that provides environmental benefits for the citizens of Delaware. DNREC Secretary Collin O'Mara has submitted testimony that Bloom Energy's fuel cells will emit "significantly less pollution than traditional combustion technologies, specifically negligible sulfur dioxide, significantly less nitrogen oxides, and limited carbon dioxide." DNREC and the Delaware Economic Development Office have designated Bloom Energy's Delaware Fuel Cell Project as "an economic development opportunity that will (i) contribute to maintaining or providing gainful employment of the citizens of the State, and (ii) serve a public purpose by contributing to the prosperity, health or general welfare of the State." DNREC has a unique and significant interest in participating in the process in order to ensure that environmental benefits remain a focus.

4. DNREC's interest will not be adequately represented by the parties to this proceeding. DNREC has the responsibility for the management of Delaware's environment. In that respect, no other participant in this proceeding has the same obligation for Delaware's environment. Nor does any other participant in this proceeding bring to bear the expertise that DNREC can employ in considering the effects of the Bloom Energy project on Delaware's Renewable Portfolio Standard and environmental quality.

5. DNREC's participation in the proceeding would be in the public interest. The public relies upon and looks to DNREC to provide guidance and expertise in environmental quality and the impact renewable energy technology and new energy sources have on it. As a public agency, DNREC has no private interest in the outcome of the proceeding.

6. For the foregoing reasons, DNREC respectfully requests that it be granted leave to intervene in this proceeding as a party for all purposes.

Dated: September 2, 2011

Respectfully submitted,



Valerie M. Satterfield
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CERTIFICATE OF SERVICE

I, Valerie M. Satterfield, do hereby certify that true and correct copies of the Petition for Leave to Intervene of the Department of Natural Resources and Environmental Control were served via electronic mail this 2nd day of September, 2011, to the attached service list.

Respectfully submitted,



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