September 2, 2011

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

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,

[Signature]

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

PSC DOCKET NO. 11-362

(FILED AUGUST 19, 2011)

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,

[Signature]

Valerie M. Satterfield
Deputy Attorney General
102 W. Water Street, 3rd Floor
Dover, Delaware 19901
Tel: (302) 739-4636
Fax: (302) 739-4626
E-mail: valerie.satterfield@state.de.us
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,

[Signature]

Valerie M. Satterfield
Deputy Attorney General
102 W. Water Street, 3rd Floor
Dover, Delaware 19901
Tel: (302) 739-4636
Fax: (302) 739-4626
E-mail: valerie.satterfield@state.de.us
Attached Service List

Mark Lawrence
Hearing Examiner
Delaware Public Service Commission
861 Silver Lake Blvd, Suite 100
Dover, DE 19904
Tel: 302-736-7540
Fax: 302-739-4849
Email: mark.lawrence@state.de.us

Ruth Ann Price
Senior Hearing Examiner
Delaware Public Service Commission
861 Silver Lake Blvd, Suite 100
Dover, DE 19904
Tel: 302-577-5014 (Wilmington)
Tel: 302-736-7534 (Dover)
Fax: 302-739-4849 (Dover)
Email: ruth.price@state.de.us

Regina Iorii, Esq.
Deputy Attorney General
Delaware Public Service Commission
820 North French Street, 6th Floor
Mail Stop C600
Wilmington, DE 19801
Tel: 302-577-8159 (Wilmington)
Fax: 302-739-4849 (Dover)
Email: regina.iorii@state.de.us

William O'Brien
Executive Director
Delaware Public Service Commission
861 Silverlake Blvd, Suite 100
Dover, DE 19904
Tel: 302-736-7516
Fax: 302-739-4849
Email: william.obrien@state.de.us

Kevin Neilson
Regulatory Policy Administrator
Delaware Public Service Commission
861 Silver Lake Blvd, Suite 100
Dover, DE 19904
Tel: 302-736-7514
Fax: 302-739-4849
Email: kevin.neilson@state.de.us

Todd Goodman, Esq.
Associate General Counsel
Pepco Holdings, Inc. Legal Services
500 North Wakefield Drive
Mail Stop 92 DC 42
Newark, DE 19702
Tel: 302-429-3786
Fax: 302-429-3801
Email: todd.goodman@pepcoholdings.com

Heather Hall
Regulatory Affairs
Delmarva Power & Light Company
P.O. Box 9239
Mail Stop 79 NC 59
Newark, DE 19714-9239
Tel: 302-454-4828
Fax: 302-454-4440
Email: heather.hall@pepcoholdings.com

Leonard J. Beck
Regulatory Affairs
Delmarva Power & Light Company
P.O. Box 9239
Mail Stop 79 NC 59
Newark, DE 19714-9239
Tel: 302-454-4839
Fax: 302-354-8010
Email: len.beck@pepcoholdings.com

Glenn C. Kenton, Esq.
Delmarva Counsel
Richards, Layton & Finger
One Rodney Square
Wilmington, DE 19801
Tel: 302-651-7726
Fax: 302-498-7507
Email: kenton@rlf.com
Staff Consultant
Barry J. Sheingold
New Energy Opportunities, Inc.
10 Speen Street
Framingham, MA 01701
Tel: 508-665-5888
Email: bjs@newenergyopps.com

Michael Sheehy
Public Advocate
Division of the Public Advocate
820 North French Street, 4th Floor
Wilmington, DE 19801
Tel: 302-577-5078
Fax: 302-577-3297
Email: michael.sheehy@state.de.us

Kent Walker, Esq.
Deputy Attorney General
Division of the Public Advocate
820 North French Street, 6th Floor
Wilmington, DE 19801
Tel: 302-577-8306
Fax: 302-577-6630
Email: kent.walker@state.de.us

Andrea Maucher, Public Utilities Analyst
Division of the Public Advocate
John G. Townsend Building
401 Federal Street, Suite 3
Dover, Delaware  19901
Phone: 302-857-4620
Fax: 302-739-3811
Email: andrea.maucher@state.de.us

Thomas G. Noyes
Division of Energy & Climate
Delaware Department of Natural Resources and Environmental Control
1203 College Park Drive, Suite 101
Dover, DE, 19904
Tel: 302-735-3356
Fax: 302-739-1840
Email: thomas.noyes.@state.de.us

Todd Coomes, Esq.
Delmarva Counsel
Richards, Layton & Finger, P.A.
One Rodney Square
Wilmington, DE 19801
Tel: 302-651-7507
Fax: 302-498-7507
Email: coomes@rlf.com

Joshua Richman
Vice President
Bloom Energy Corporation
1299 Orleans Drive
Sunnyvale, CA 94089
Tel: 408-543-1547
Email: josh.richman@bloomenergy.com

Marty Collins
VP, Corporate Development
Bloom Energy Corporation
1299 Orleans Drive
Sunnyvale, CA 94089
Tel: 408-543-1749
Email: marty.collins@bloomenergy.com

Courtesy Copy:

David T. Stevenson, Director Center for Energy Competitiveness
Caesar Rodney Institute
P.O. Box 795
Dover, DE 19903
Tel: 302-236-2050
Email: DavidStevenson@CaesarRodney.org