

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

IN THE MATTER OF THE ADOPTION OF)
RULES AND REGULATIONS TO)
IMPLEMENT THE PROVISIONS OF 26 *DEL.*)
C. CH. 10 RELATING TO THE CREATION)
OF A COMPETITIVE MARKET FOR)
RETAIL ELECTRIC SUPPLY SERVICE)
(OPENED APRIL 27, 1999; RE-OPENED)
JANUARY 7, 2003; SEPTEMBER 22, 2009;)
SEPTEMBER 7, 2010; JULY 17, 2012; AND)
JULY 14, 2021))

PSC REGULATION DOCKET NO. 49

**PUBLIC NOTICE OF PROPOSED AMENDMENTS TO THE
PUBLIC SERVICE COMMISSION’S RULES REGARDING
COMMUNITY ENERGY GENERATING FACILITIES**

**TO: ALL ELECTRIC SERVICE CUSTOMERS OF DELMARVA POWER & LIGHT
COMPANY AND OTHER INTERESTED PERSONS**

On September 17, 2021, the Governor of the State of Delaware signed into law Senate Bill 2, which removes certain barriers to the adoption of community-based solar photovoltaic systems in Delaware and establishes a regulatory process to be implemented by the Public Service Commission relating to community-owned energy generating facilities (“CEFs”). Senate Bill 2 instructs the Commission to promulgate regulations: (1) to provide for customers participating in a CEF to be credited on their electric bills for the customers’ subscribed percentage of generation produced by the CEF; and (2) to provide consumer protections for customers of CEFs. Under Senate Bill 2, the new regulations will apply only to CEFs located in the service territory of -- and

serving only the customers of -- a Commission-regulated electric distribution company, which at this time consists only of Delmarva Power & Light Company (“Delmarva”).

By Order No. 9883 dated September 15, 2021 (the “Order”), the Commission now proposes to revise its *Rules for Certification and Regulation of Electric Suppliers*, codified at 26 *Del. Admin. C.* § 3001 (“*Supplier Rules*”) to reflect the Senate Bill 2 amendments and to govern the process by which CEFs may obtain (1) a Certificate to Operate from the Commission and (2) permission to interconnect to Delmarva’s electric distribution system.

The text of the revised *Supplier Rules* is attached to the Order. The Order and related exhibits are reproduced in the October 1, 2021 edition of the *Delaware Register of Regulations* and may also be reviewed online at the Commission’s website at www.depsc.delaware.gov. You may also obtain a paper copy of the Orders at the Commission’s Dover office for a fee of \$0.25 per page.

The Commission will conduct a public hearing on the revised *Supplier Rules* on Wednesday, November 17, 2021, beginning at 1:00 PM, in accordance with 26 *Del. C.* § 209(a). Based on Governor John Carney’s Declaration of a Public Health Emergency, effective July 13, 2021, the hearing will be conducted via teleconference. All persons who wish to be heard by the Commission should call in toll free 1-866-299-7945, access code 5979551#. Interested parties may file written comments, suggestions, briefs, compilations of data, or other materials concerning the Amendments. Such material may be submitted to the Commission on or before December 2, 2021, by email to dimitar.kozhuharov@delaware.gov or at the following address:

Delaware Public Service Commission
861 Silver Lake Boulevard
Cannon Bldg., Suite 100
Dover, Delaware, 19904
Attn: PSC Reg. Dckt. 49

To be considered at the November 17, 2021 hearing, however, written materials must be submitted on or before November 1, 2021.

If you are handicapped and need assistance or aids in participating in this matter, please contact the Commission to discuss any needed assistance or aids. You may contact the Commission with questions or requests about this matter at the Commission's toll-free telephone number (800) 282-8574 (Delaware only) or (302) 739-4333 (including text telephone). You may also send inquiries by Internet e-mail addressed to psc@delaware.gov.