

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

IN THE MATTER OF THE PETITION OF)
STAFF OF THE DELAWARE PUBLIC SERVICE)
COMMISSION REGARDING A LARGE LOAD) DOCKET NO. 25-0826
TARIFF TO BE PROMULGATED BY)
DELMARVA POWER & LIGHT COMPANY)

ORDER NO. 10816

AND NOW, this 3rd day of September 2025, the Delaware Public Service Commission (“Commission”) determines and orders the following:

WHEREAS a 1.2 GW data center has been proposed in the service territory of Delmarva Light & Power Company (“DPL”);

WHEREAS DPL is a public utility and electric distribution company as defined by 26 *Del. C.* §102(2) and 26 *Del. C.* §1001(12) respectfully;

WHEREAS the Commission has broad authority to supervise and regulate public utilities, 26 *Del. C.* §201(a), to establish “just and reasonable standards, classifications, regulations, practices, measurements or services;” to require adequate and proper service, 26 *Del. C.* §209; and take action to ensure that electric distribution companies provide adequate and reliable service, 26 *Del. C.* §1010;

WHEREAS large load facilities such as data centers are expanding at an unprecedented pace, with potentially enormous impacts on energy supply, energy costs, transmission resources, state energy policy, and grid reliability;

WHEREAS large data centers require power for their operations, including for both servers and cooling, that is unmatched by almost any other facility. Indeed, a single large data center can have the same power demand as a city;

WHEREAS Delaware is a net importer of power, so large load facilities, which require massive amounts of power, could have significant impacts on existing transmission systems as the new power demand competes for limited resources;

WHEREAS both nationally and regionally, price increases related to data centers are disproportionately absorbed by residential and commercial customers;

WHEREAS no tariff, regulation, or legislation addresses the unique needs related to consumers that use a disproportionately large amount of power;

WHEREAS residents have held large town hall meetings and elected representatives have introduced legislation regarding data centers at both the county and State levels;

WHEREAS to address concerns regarding increased electric transmission and distribution costs to existing ratepayers and reliability concerns, facilities that use a disproportionate amount of power, namely for customers that will use a monthly maximum demand of 25 megawatts (MW) or greater, need to be treated as a separate class within the current rate structure to protect reliability and other classes of ratepayers;

WHEREAS at the September 3, 2025 Commission meeting, Commission Staff (“Staff”) and the Delaware Division of the Public Advocate (“DPA”) presented a joint petition, incorporated herein by reference, requesting the Commission open a docket; authorize Staff to conduct workshops with interested stakeholders to develop the components of a large load tariff for customers that will use a monthly maximum demand of 25 MW or greater; and order DPL to,

after the conclusion of the workshops, file revised tariff pages applicable to large load customers prior to the interconnection of any new large load customers;

WHEREAS for the reasons stated in Staff and the DPA's joint petition;

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

1. That a docket shall be opened to establish a large load tariff.
2. That Staff shall conduct workshops with interested stakeholders to develop the components of a large load tariff for customers that will use a monthly maximum demand of 25 MW or greater.
3. That DPL shall, after the conclusion of the workshops, file revised tariff pages applicable to large load customers who use a monthly maximum demand of 25 MW or greater.
4. That such revised tariff must be in place prior to the interconnection of any prospective large load customers who forecast or plan to use a monthly maximum demand of 25 MW or greater in DPL service territory and not already interconnected as of the date of this order.
5. That 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:

Dallas Winslow, Chairman

Joann Conaway, Commissioner

Harold B. Gray, Commissioner

Manubhai Karia, Commissioner

K. F. Drexler, Commissioner

ATTEST:

Crystal Beenick, Commission Secretary