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 TARIFF TO BE PROMULGATED BY DELMARVA POWER & LIGHT COMPANY	)))))	DOCKET NO. 25-0826

ORDER NO. 10829

AND NOW, this 15th day of October 2025, the Delaware Public Service Commission ("Commission") determines and orders the following:

WHEREAS, Delmarva Power & Light Company ("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 (the "Joint Petition") 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, DPL filed a petition for leave to intervene in this matter and submitted an alternative proposed form of order on the Joint Petition;

WHEREAS, at the September 3, 2025 Commission meeting, the Commission voted to grant DPL's petition for leave to intervene in this matter;

WHEREAS, at the September 3, 2025 meeting, the Commission also voted to grant a motion that a revised tariff must be in place prior to the interconnection of any large load customers who use a monthly maximum demand of 25MW or greater in DPL service territory not already interconnected as of September 3, 2025;

WHEREAS, after considering the Joint Petition, the forms of proposed order submitted by the parties, and hearing argument from the parties, the Commission directed its counsel to prepare a revised form of order based on the discussion during the September 3, 2025 meeting to be presented for the Commission's consideration at its next meeting on October 15, 2025;

WHEREAS, the parties have reviewed this revised form of order and agree that the Commission should enter it;

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 pursuant to the Commission's authority under 26 *Del. C.* § 301(a), DPL shall develop and file proposed revised tariff pages applicable to large load customers defined as customers that will use a monthly maximum demand of 25 megawatts (MW) or greater.

3. That the Commission designates Hearing Examiner Mark Lawrence as hearing examiner for this matter pursuant to 26 *Del. C.* § 502 and 29 *Del. C.* ch. 101, to schedule and conduct, upon due notice, such public comment sessions, workshops, and evidentiary hearings as may be necessary to have a full and complete record concerning the justness and reasonableness of the proposed tariff modifications. Thereafter, Hearing Examiner Lawrence shall file with the Commission for its consideration his proposed order with his findings and recommendations.

4. That pursuant to 29 *Del. C.* ch. 101 and 26 *Del. Admin. C.* § 1001-2.9, Hearing Examiner Lawrence is specifically delegated the authority to grant or deny petitions seeking leave to intervene and for admission of counsel pro hac vice. In addition, Hearing Examiner Lawrence is delegated the authority, under 26 *Del. C.* § 102A, to determine the form and manner of any further public notice in this matter.

5. That such revised tariff must be in place prior to the interconnection of any large load customers who use a monthly maximum demand of 25 MW or greater in DPL service territory not already interconnected as of September 3, 2025.

6. 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:

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Dallas Winslow, Chairman

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Joann Conaway, Commissioner

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Harold B. Gray, Commissioner

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Manubhai Karia, Commissioner

K. F. Drexler, Commissioner

ATTEST:

Crystal Beenick, Commission Secretary