

BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF DELAWARE 2008 DEC 15 PM 1:22

VOLUME 13 DELAWARE

IN RE: IN THE MATTER OF :
 THE INTEGRATED RESOURCE :
 PLANNING FOR THE PROVISION : PSC REGULATION DOCKET 07-20
 OF STANDARD OFFER SUPPLY :
 SERVICE BY DELMARVA POWER & :
 LIGHT COMPANY UNDER 26 DEL.:
 C. SECTION 1007 (c) & (d); :
 REVIEW OF INITIAL RESOURCE :
 PLAN SUBMITTED DECEMBER 1, :
 2006 (OPENED JANUARY 23, :
 2007) :

Public Service Commission Hearing taken
 pursuant to notice before Gloria M. D'Amore, Registered
 Professional Reporter, in the offices of the Public
 Service Commission, 861 Silver Lake Boulevard, Cannon
 Building, Suite 100, Dover, Delaware, on Wednesday,
 December 3, 2008 beginning at approximately 7:01 p.m.,
 there being present:

APPEARANCES:

On behalf of the Public Service Commission:
 MARK LAWRENCE, HEARING OFFICER

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1 APPEARANCES CONTINUED:

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On behalf of the Public Service Commission:
JEFFREY CLARK, COMMISSIONER

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On behalf of the Public Service Commission Staff:
JOHN FARBER, PUBLIC UTILITIES ANALYST

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On behalf of the Office of the Public Advocate:
SARAH BUTTNER

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On behalf of Delmarva Power and Light Company:
TODD GOODMAN, ESQUIRE
BRIDGETT SHELTON

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On behalf of Green Delaware:
ALAN MULLER

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CAROL OVERLAND

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1 HEARING OFFICER LAWRENCE: Let's get
2 started. For those of you who don't know me, my name is
3 Mark Lawrence. I'm going to be the hearing examiner
4 tonight.

5 This is Docket 07-20, which is the third
6 update to Delmarva Power and Light's IRP. And
7 specifically, this is going to be, by way of background,
8 the Integrated Resource Plan that was originally
9 submitted by Delmarva Power and Light on December 1,
10 2006. It was supplemented on January 8, 2007, later
11 revised and updated on March 5, 2008 the IRP update, with
12 additional information provided on May 15, 2008, which
13 was the IRP addenda.

14 This is a duly noticed Public Comment
15 Session for Members of the Public to comment on the third
16 update to the IRP. There was a press lease that was sent
17 to the media regarding this proceeding.

18 And I would like to take appearances for
19 the record beginning from the left to the right.

20 MR. GOODMAN: Good Afternoon, Your
21 Honor. My name is Todd Goodman here on behalf of
22 Delmarva Power and Light Company. I have with me here
23 today Bridgett Shelton from our corporate communications
24 department.

1 COMMISSIONER CLARK: Jeff Clark from the
2 Commission.

3 MS. BUTTNER: Sally Buttner on behalf of
4 the Public Advocate.

5 MR. MULLER: Alan Muller on behalf of
6 Green Delaware.

7 MS. OVERLAND: Carol Overland on behalf
8 of myself. Legalectric. L-E-G-A-L-E-C-T-R-I-C.

9 MR. FARBER: John Farber, Commission
10 Staff.

11 HEARING OFFICER LAWRENCE: I'd like to
12 begin by having Delmarva just give a brief explanation of
13 the third update to the IRP for the record.

14 MR. GOODMAN: Thank you, Your Honor.

15 I think you actually, in setting forth
16 some of the history there, you explained a lot about what
17 it is.

18 But the IRP was mandated in House Bill
19 6, or EURSCA. And there are no members of the public
20 here because if I tried to do the full name of what
21 EURSCA is I would be bound to mess it up.

22 But it required Delmarva Power and Light
23 to file an Integrated Resource Plan every two years.
24 And, actually, the deadline for the second filing was

1 December 1, 2008.

2 When the first one was filed back in
3 2006, we were at a very interesting point in the sort of
4 history, recent history of the acquisition of energy in
5 that we were in the middle of the Request for Proposal
6 for in-state generation mandated by EURSCA.

7 And we found it, we, as a company, found
8 it very difficult to do an IRP not having resolved the
9 issue of whether or not we would be getting several
10 hundred megawatts around the clock from accommodation of
11 offshore wind and a gas backup plant located somewhere
12 south of Dover.

13 So, as the IRP process progressed, more
14 specifics were placed in through the updates.

15 Finally, in May of 2008, Bluewater Wind
16 and Delmarva Power reached what is now considered
17 correctly as the first ever Purchase Power Agreement for
18 offshore wind in the history of the United States.

19 And with that, it enabled us to know how
20 much in the form of energy we could expect to get from
21 offshore wind.

22 At the same time, Delmarva had done a
23 wind only Request for Proposals in which it received bids
24 for over 1,700 megawatts of energy all of which were from

1 land-based wind farms.

2 However, we had specifically inflated
3 every offshore developer we knew at the time through
4 letter to participate, as well.

5 And from that, we were successfully able
6 to enter into contracts for 170 megawatts of land-based
7 wind from three different providers, two in Western
8 Maryland, and one in North Central Pennsylvania.

9 So, we now knew, at this point, by the
10 mid-summer of 2008, or late summer of 2008, when the
11 Commission also approved the land-based wind contracts,
12 we now knew how many megawatts, at least for planning
13 purposes, we could expect to get from our renewable
14 energy resources.

15 At that point, we were able to do a full
16 IRP, which Senior Hearing Examiner Price stated should be
17 filed on November 3rd of this year. It was, actually,
18 filed on November 5th. We needed a one-day extension due
19 to Delmarva's counsel being subpoenaed to testify in a
20 trial. And she was kind enough to give us that one day
21 extension, which turned out to be Election day, so we had
22 two days.

23 So, about three-weeks-ago what is called
24 the third update of the IRP, which is, actually, in and

1 of itself, a new IRP was filed. And that IRP sets forth,
2 as the statute requires, Delmarva's plan for obtaining
3 its load over a ten-year planning period. As the statute
4 says, at the minimal cost and lowest reasonable costs
5 taking into account our obligation to achieve what are
6 some of the most aggressive renewable portfolio standards
7 in the country, which is 20 percent by 2019.

8 We are, in fact, at least in the early
9 years, significantly oversubscribed way above our
10 renewable energy requirements.

11 But as this Commission found, most of
12 that, at least until Bluewater Wind comes on line in 2014
13 to 2015 time period, most of that is land-based wind,
14 which this Commission's consultant found to be actually
15 below market, which we were very happy with.

16 So, because the public is not here and
17 everyone here I think is pretty well versed on the IRP, I
18 won't go on as to what's in it. But it is, in essence, a
19 plan for the next ten years to procure energy consistent
20 with EURSCA, and consisting, at least, with at the time
21 we did it were the proposed IRP rules. They still are
22 not completely in place, but we did our best considering
23 the time constraints to comply with them. And Staff was
24 exceedingly helpful in helping us through that.

1 HEARING OFFICER LAWRENCE: Okay. Mr.
2 Muller, do you have some comments to make?

3 MR. MULLER: Yes, I do.

4 MR. GOODMAN: May I, just to keep
5 Hearing Examiner Price from getting angry, there was a
6 very specific letter, other than an introduction, as
7 requested by the hearing examiner, the intervenors were
8 not to comment at the first series of Public Comment
9 Sessions.

10 I'll just, and I won't call it an
11 objection, but I will help Mr. Muller by giving him that
12 warning and reminding him that as an intervenor, he and
13 members of Green Delaware are not supposed to comment
14 until the next set in the summer. If he wants to do it
15 and take that risk, that's fine.

16 MR. MULLER: This was discussed. And
17 our view was the company is a party, we are a party. And
18 that if the company is allowed to present its view of its
19 IRP, that the other parties ought to be allowed to do so,
20 also.

21 HEARING OFFICER LAWRENCE: What did
22 Hearing Examiner Price say about it? Were you supposed
23 to comment here tonight or not?

24 MR. MULLER: Her ruling on that was not

1 clear to me. And if there is a letter, and if Todd has
2 it, I would be interested in seeing it.

3 MR. GOODMAN: The letter is part of the
4 record, Your Honor. It's crystal here. I don't have it
5 with me. I didn't think it was necessary, since it was
6 written to Mr. Muller, as well as someone else.

7 Like I said, if he wants to take that
8 risk, I'm sure Hearing Examiner Price will find out about
9 it. And my guess is, she will take appropriate action
10 because I think it was crystal clear.

11 HEARING OFFICER LAWRENCE: Maybe we can
12 make handle this, since Mr. Muller, apparently, can't
13 comment tonight, I mean, are there any general areas that
14 Delmarva knows that Mr. Muller would be interested in,
15 any additional areas other than what you've commented on.

16 MR. GOODMAN: No. I, actually, went to
17 great pains not to comment about anything on our
18 position. Just to state what the IRP is supposed to be,
19 which is a ten-year planning period based upon what we
20 know to date.

21 I know Mr. Muller's concerns are, and I
22 know he has a very strongly held belief about the
23 importance of conservation and --

24 MR. MULLER: Objection. I'm sitting

1 here listening to the company characterizing my views
2 that I'm not being allowed to state myself.

3 MR. GOODMAN: The Hearing Officer asked
4 me a question.

5 MR. MULLER: Furthermore, it has been
6 stated that members of Green Delaware should not be
7 allowed to comment, which is an outrageous suggestion.

8 HEARING OFFICER LAWRENCE: Well, after
9 Mr. Goodman described the letter, I had recalled seeing
10 that letter myself that Hearing Examiner Price had
11 written in connection with a note.

12 I was looking at some of her dockets.
13 And I specifically remember that letter. That's why I
14 don't believe that you have the right to comment tonight.

15 Now, the lady that's sitting next to you
16 -- you're a member of the public. You didn't announce
17 that you were representing Green Delaware.

18 Right?

19 MS. OVERLAND: No, I can't. I'm an
20 attorney from another jurisdiction. I can't represent
21 anyone.

22 HEARING OFFICER LAWRENCE: So, are you
23 technically a member of the public that's here?

24 MS. OVERLAND: I'm here representing

1 myself, Carol Overland, and Legalectric, as I said, for
2 the record. Yes.

3 MR. GOODMAN: And if I could, as she
4 stated, she stated she's a member of the bar from outside
5 of the state. She's not permitted by the laws of the
6 state to represent anyone. So, she's not representing
7 anyone but herself.

8 And I will comment, and she can correct
9 me if I'm wrong, she is not a resident of the state,
10 anyway. She is, I believe, from the Midwest. This is a
11 public hearing session for the public of the State of
12 Delaware, not for others.

13 MR. MULLER: Objection.

14 MS. OVERLAND: Wait. That's about me.
15 I can handle that. That's about me.

16 I live here halftime. Halftime in
17 Delaware, halftime in Minnesota. My legal residence, my
18 voting residence is Minnesota.

19 But I am a utility, a utility regulatory
20 attorney in Minnesota with experience IRP's in Minnesota.

21 And in the wind project, I was the one
22 testifying about the value of a wind gas combo. I think
23 contributed a lot to that discussion. And I think I
24 contributed a lot to this discussion, as well.

1 HEARING OFFICER LAWRENCE: Well, Mr.
2 Goodman, do you know of any rule that prohibits a person
3 who, at least resides in Delaware part of the time,
4 although her permanent residence is, apparently, in
5 Minnesota, any rule that specifically prohibits her
6 comments? I don't know of any.

7 MR. GOODMAN: No. I'm not aware of any.
8 I'm aware of the laws of the State of Delaware, which
9 prohibits her from representing anyone. She already
10 stated twice on the record that she is here representing
11 an entity. She's backing away from that now. She's not
12 a resident of the state. As far as I know, she's not a
13 taxpayer of this state. And everyone in here is being
14 paid by the taxpayers of the state, specifically our
15 customers.

16 So, I don't think it's appropriate. But
17 I think to save time, we can let her go ahead and say
18 what she has to say over the objection on behalf of our
19 customers that she's truly here on behalf of Green
20 Delaware and not a citizen. And they're trying to get
21 around this hearing examiner's ruling. Other than that,
22 let's let her talk and be done with it.

23 MR. MULLER: Your Honor --

24 HEARING OFFICER LAWRENCE: I'm sorry,

1 Mr. Muller. I'll afford you five minutes.

2 MR. MULLER: I would like to note my
3 objection in the record, if I may do that.

4 HEARING OFFICER LAWRENCE: Sure.

5 MR. MULLER: I have testified before
6 many bodies in quite a number of states about different
7 matters. And I have never ever before heard the argument
8 made that someone needs to be a resident of the state in
9 order to testify at a public hearing or public comment
10 period.

11 HEARING OFFICER LAWRENCE: I'm allowing
12 her to testify, Mr. Muller.

13 MR. MULLER: All right. But I just want
14 to make clear, this is a very objectionable argument that
15 can't be made in good faith. And we'll pursue it in
16 another forum.

17 But it's very disturbing to me that the
18 possibility that this argument might be used by Delmarva
19 Power in some other venue to silence a member of the
20 public. And whether they're from Delaware, or whether
21 they live in New Jersey, and are breathing the emissions
22 from the power plants that provide some of Delaware's
23 electricity, whether they live in Pennsylvania, whether
24 they live in Maryland, whether they live anywhere, they

1 have a right to come and testify as a member of the
2 public.

3 HEARING OFFICER LAWRENCE: I am allowing
4 her five minutes of time.

5 MR. MULLER: Is there a reason for
6 limiting her time?

7 HEARING OFFICER LAWRENCE: Actually,
8 many of these hearings, public comments are limited to
9 three minutes. However, I thought that she needed five
10 minutes. But let's start with some more important
11 issues, obviously, first. Just make your comments, and
12 we can go from there.

13 MS. OVERLAND: First, the more important
14 issue to me is the restrictions. I think that is
15 unreasonably. But on the other hand, I'll take it as a
16 compliment that they find it such a threat to have me
17 speak for five minutes. And also given --

18 HEARING OFFICER LAWRENCE: That's my
19 requirement. Not Delmarva's. I run the proceeding. Not
20 Delmarva.

21 MS. OVERLAND: Right. But if they find
22 it a threat enough to raise a stink, that should be noted
23 in the record. And that the members of the public -- the
24 reason that time has to be restricted like that -- well,

1 there are legal terms for that, but I don't think they're
2 printable.

3 In looking at the IRP, I'm really
4 concerned about the load forecast. I asked, when it
5 would be updated, and he couldn't give me a date when it
6 would be update. Here it says that PJM will update it by
7 early 2009.

8 Now, in The Wall Street Journal last
9 week, or the week before, the week before Thanksgiving,
10 there was an article that utilities across the country
11 are finding unprecedented decrease in demand.

12 Excel Energy reported a three percent
13 decrease in residential demand.

14 AEP had a nine percent decrease in
15 residential demand.

16 The utilities were saying that this is
17 so -- they have never seen anything like it in 40 years.
18 That they have to look at whether they want to invest in
19 infrastructure because this is, obviously, not going to
20 turn around quickly. It will have a long-term impact.

21 So, if you're looking at expecting a two
22 percent demand, but instead having even just a three
23 percent decreased, you got a five percent range there.
24 And that will effect long-term acquisitions because your

1 whole curve is down, and that will spread out into the
2 future. And how long will this last, who knows. So,
3 this need to be updated.

4 It notes update forecast in early 2009.
5 What PJM does is collect information from all of the
6 utilities and put it out into the word. Spread it onto
7 NERC, and NERC issues its report for the entire country.

8 So, will that be new information that
9 PJM is going to get from them. And that should come to
10 the Commission, and the Commission should have a chance
11 to look at that. Because forecasting right now is just
12 out the window. 1.9 percent is not realistic. So, that
13 information needs to be included.

14 We're talking about contracts --

15 HEARING OFFICER LAWRENCE: Let's stop
16 there.

17 Mr. Goodman, do you have any response to
18 what she just said?

19 MR. GOODMAN: No, I don't.

20 MS. OVERLAND: They just won't commit to
21 putting that information in.

22 MR. GOODMAN: Actually, I do have a
23 response to that.

24 I think that these snide comments are

1 inappropriate.

2 HEARING OFFICER LAWRENCE: I do, too.

3 We're all professionals here. You have your position.

4 Mr. Goodman has his position. Let's discuss it in a
5 correct manner.

6 You have your position. Just state it.

7 MS. OVERLAND: Yes. I think it is also
8 important to note that I did discuss this with him
9 earlier. And they won't commit to putting that in the
10 record. Those numbers are very --

11 MR. GOODMAN: I will say that the
12 Delaware rules of evidence specifically state that any --
13 to the extent that was a negotiation -- you don't talk
14 about that off the record. But she is a Michigan lawyer
15 here representing someone illegally, and she probably
16 doesn't know the rules.

17 MS. OVERLAND: I'm not from Michigan.

18 HEARING OFFICER LAWRENCE: Let's ratchet
19 it down a notch. Let's just hear your next point.

20 MS. OVERLAND: Contracts. Typically, as
21 I understand it, they're three-year contracts. Why
22 aren't they 20-year contracts? Why aren't they 25 years
23 contracts? The customers will only be hurt.

24 Now, we're talking about professionalism

1 here. I would urge you to take a look for the record of
2 his expressions. Watch this, please.

3 There is also information in here about
4 the MAPP Project, the Mid-Atlantic Power Pathway. And
5 they have had meetings in Maryland, but they have not had
6 meetings in Delaware. And there is no information here
7 about the impact of that transmission line will be on the
8 ratepayers of Delaware. And that should be addressed in
9 this. It's nowhere to be found.

10 I think it is a \$1.5 billion line, or is
11 it less than that? I don't know the price.

12 MR. GOODMAN: Are you asking me a
13 question?

14 MS. OVERLAND: May I.

15 Well, anyway, there's nothing in here
16 about what the price of that line is, what the expected
17 cost is, and what the impact would be on the ratepayers,
18 how that would be spread. Because given that it's,
19 essentially, above power transfer line, how that will be
20 attributed under FERC to the various utilities, that
21 should be addressed here, so that you'll know what the
22 impact will be on Delaware ratepayers.

23 Talking about the RTEP list, the
24 Regional Transmission Expansion Plan. It's a PJM plan.

1 And there really should be a cite in here to this, so the
2 people can have an idea what they're talking about. And
3 there should be a list of what these specific projects
4 are. They're saying that they're committed to completing
5 all the RTEP projects. What are they? We don't know.
6 They're not here.

7 And what are the costs of those
8 projects? It's not here. And what is the impact of that
9 on Delaware ratepayers? That's something that the IRP
10 should be looking at. If they're using this to procure
11 electricity from somewhere else, what is the impact of
12 that on ratepayers, as opposed to using generation that
13 is local. How does that all fit together? None of it is
14 in here, and it should be.

15 I also noticed that there's CAIDI and
16 SAIDI listed here. It is on Page 11. Talking about
17 transmission CAIDI and SAIDI.

18 CAIDI and SAIDI is typically a
19 distribution reliability measure. And I have not seen
20 that used in the transmission context before, but I'm
21 sure it could. What it is is about the outages and
22 duration of frequency of outages.

23 Typically, in transmission, they're
24 very, very low. And under NERC standards, they have to

1 be. And so, that seems strange. But it would be good to
2 have very specifically in the IRP a review of
3 transmission issues. Where are they? There's talk about
4 we're going to look at that. They talk about when their
5 constraints are. Talk about constrain, hours of
6 operation. Where are the physical constraints? How
7 often does this happen? Are there any load shedding
8 incidence going out? This should be in the IRP. Not
9 just talking about it and saying they're going to get
10 this information. This should be here.

11 And under energy efficiency, there is
12 like no percentage here about what the targets are. And
13 in Minnesota, we've adopted 1.5 percent. And that is
14 easily done. And we're looking at decreases in --
15 severe, severe decreases in consumption, just as it is
16 right now, because of the economic scenario right now.
17 If we're looking at that, it would easily be -- 1.5
18 percent is easily achievable. Three percent may be
19 easily achievable. But there should be some specifics in
20 here so we can know if they really are doing anything
21 about energy efficiency and how that will be done. So,
22 that is it.

23 HEARING OFFICER LAWRENCE: Okay. Does
24 anybody have any responses to those comment?

1 Staff.

2 MR. FARBER: No comment.

3 HEARING OFFICER LAWRENCE: Delmarva.

4 MR. GOODMAN: Just to the extent it
5 might be helpful for Your Honor.

6 There were complaints about matters
7 involving MAPP and RTEP not being in there.

8 I'll direct counsel to our website, PJM
9 website. It extensively covers RTEP, MAPP. She
10 complained about no statistics or estimates on decrease
11 in consumption.

12 I'll her throughout to the appendices.

13 I'll direct her to this Commission's
14 ruling in the Blueprint for the Future docket, which
15 talked about exactly how that's to be handled.

16 And, of course, we complied with that in
17 filing our IRP. Her not being involved at all in that.
18 That's what happens when you in come in on one thing.

19 MS. OVERLAND: Your Honor, objection.
20 He is doing exactly what you told me not to do.

21 HEARING OFFICER LAWRENCE: I agree.

22 MR. GOODMAN: Well, I'm responding to
23 what she said about not being in there. I think it's a
24 fair comment to say what is in there and what is not in

1 there. She talked about there being no comment on
2 conservation. And it is throughout here. So, I ask only
3 that the words speak for themselves.

4 Other than that, I have no further
5 comment.

6 MS. OVERLAND: May I have a couple of
7 follow ups on that.

8 HEARING OFFICER LAWRENCE: Yes. One
9 minute.

10 MS. OVERLAND: One minute. The
11 information them saying should be in there that is not is
12 not in there. PJM does have a general link. But it
13 takes a while if you go into the PJM website to find
14 RTEP. It would help to have that in there, so that the
15 Commission can take a look at what is planned.

16 And the MAPP also is not there. There
17 is no schedule for the Delaware meetings. And that was
18 something I raised that they have had meetings in
19 Maryland, but not in Delaware yet. And there is no
20 schedule. That's not in here. It's not on the site
21 either. I've looked.

22 And there's no percentage here. My
23 issue is there's no percentage under energy efficiency
24 listed. Look on Page 14. It's not there. Thank you.

1 HEARING OFFICER LAWRENCE: Well, Hearing
2 Examiner Price is handling this docket. I've made notes
3 for her. Obviously, there's a transcript. So, your
4 comments will be reviewed by her.

5 And are there any other comments about
6 this docket from anybody?

7 MS. OVERLAND: Is the record open?
8 Usually, it's open for 30 days afterwards a hearing?

9 HEARING OFFICER LAWRENCE: No.

10 Mr. Muller, I told you that I can't have
11 you comment because I remember Hearing Examiner Price's
12 letter that said that the intervenors can't speak in this
13 particular forum. I mean, I think that in these dockets
14 you've gotten your fair say that I have seen.

15 MR. MULLER: Your Honor, I don't want to
16 comment on the IRP. But I want to make a procedural -- a
17 couple of observations for the record.

18 In the scheduling conference for this
19 docket, I argued for having expansive opportunities for
20 public participation.

21 And I also indicated that it wasn't
22 clear what the degree of public interest would be, what
23 the attendance would be at these Public Comment Sessions.
24 Might be thin. Integrated Resource Planning seems kind

1 of complex and abstract. It does not have the emotional
2 appeal of a wind farm.

3 I do, or I have heard from several
4 people who have indicated they intend to submit materials
5 for the record. And I was glad to hear that. I'm sorry
6 that there aren't more people here tonight. This is the
7 third of a sequence of three. And I don't know if you
8 conducted the other two.

9 HEARING OFFICER LAWRENCE: I did not.

10 MR. MULLER: They were Monday and
11 Tuesday.

12 I'm disturbed, having attended this one,
13 by the hostility and unprofessionalism displayed by the
14 representative of the company.

15 It seems to me when a public member of
16 the public comes to an event like this, it can be
17 intimidating. It can be confusing. It requires a
18 certain amount of fortitude for people to speak up in a
19 formal environment. And they should not --

20 HEARING OFFICER LAWRENCE: You have been
21 to a lot of these, Mr. Muller.

22 MR. MULLER: I'm not just talking about
23 myself.

24 HEARING OFFICER LAWRENCE: But there

1 aren't any other members of the public here.

2 MR. MULLER: But there might be.

3 HEARING OFFICER LAWRENCE: But there's
4 not.

5 So, what is the next point that you want
6 to make?

7 MR. MULLER: My point is, Members of the
8 Public should be treated courteously. And they should be
9 encouraged to make their comments if they have any. And
10 I don't feel, or I feel that the attitude that has been
11 displayed here is inappropriate. And I hope it doesn't
12 happen again.

13 HEARING OFFICER LAWRENCE: Okay. First
14 of all, I think that both you, Mr. Muller, and Mr.
15 Goodman acted in a professional manner. Things got a
16 little testy tonight. Let's all move on.

17 Any other comments from anybody for this
18 hearing?

19 MS. OVERLAND: When will the record be
20 available, the transcript?

21 COURT REPORTER: Seven days.

22 HEARING OFFICER LAWRENCE: Since there
23 aren't any other comments, I'll close the record, and
24 we're closing, or we're ending this hearing at

1 twenty-two minutes before eight o'clock. Thank you.

2 (The Public Service Commission Hearing

3 was concluded at, approximately, 7:38 p.m.)

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C E R T I F I C A T E

STATE OF DELAWARE:

NEW CASTLE COUNTY:

I, Gloria M. D'Amore, a Registered Professional Reporter, within and for the County and State aforesaid, do hereby certify that the foregoing Public Service Commission Hearing, was taken before me, pursuant to notice, at the time and place indicated; that the statements of said parties was correctly recorded in machine shorthand by me and thereafter transcribed under my supervision with computer-aided transcription; that the Public Service Commission Hearing is a true record of the statements given by the parties; and that I am neither of counsel nor kin to any party in said action, nor interested in the outcome thereof.

WITNESS my hand and official seal this 11th day of December A.D. 2008.



GLORIA M. D'AMORE

REGISTERED PROFESSIONAL REPORTER
CERTIFICATION NO. 119-PS