



START ACTION NOTICE (SAN)

SAN # 2024-16

DOCKET # 2025-R-CCE-0001

1. TYPE OF ACTION AND THE REGULATION NUMBER AND NAME:
To promulgate a new 7 DE Admin. Code § 2106 Issuance of Waivers of Net Metering Limits for Farm Customers.

2. PURPOSE OF ACTION:
To establish a new regulation 7 DE Admin. Code § 2106 Issuance of Waivers of Net Metering Limits for Farm Customers. Currently, a farm customer as described in 3 Del. C. §902 (3) who receives energy distribution services from Delmarva Power through two or more meters cannot install a solar system of more than 150 kW without a waiver from the DNREC State Energy Office. This new regulation will provide guidance on how such waiver requests should be considered.

3. STATUTORY BASIS:
26 Del. C. §1014 (d) (1) (b) gives the State Energy Office the authority to issue waivers for aggregate net energy metering projects greater than 150 kW for DPL customers and directs the agency to promulgate regulations on this matter.

4. IS THIS PROPOSED REGULATORY ACTION REQUIRED AS A RESULT OF FEDERAL STATUTE OR REGULATION? IF SO, PROVIDE LINK TO FEDERAL MANDATE.
No.

5. DATE OF MOST RECENT AMENDMENT/REVIEW (indicate if review was pursuant to 29 Del.C. §10407):
This is a new regulation.

6. LIKELY AFFECTED PUBLIC:
This action will affect farmers, solar installers, and Delmarva Power.

7. PROPOSED SCHEDULE OF ACTIVITIES:
Initiate SAN (November-December 2024)
Prepare draft regulation (January-February 2025)
Publish in the monthly Register of Regulations (March 2025)
Hold public hearing (March-April 2025)
Publish final regulation in the monthly Register of Regulations (June 2025)

8. REVIEW COMMITTEE:
None.

9. RESPONSIBLE STAFF MEMBER:
Janet Redman, 100 W. Water Street, Dover, DE, 19904, 302-258-9320, janet.redman@delaware.gov.

10. APPROVALS:

Handwritten signature of Janet Redman and date 11.12.24
Janet Redman Date
Responsible Staff Member

Handwritten signature of Dayna Cobb and date 11/13/24
Dayna Cobb Date
Director, Division of Climate, Coastal and Energy

Handwritten signature of Lisa Borin Ogden and date 01/22/25
Lisa Borin Ogden Date
Secretary