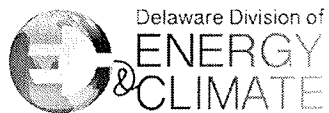


Public Hearing:
Implementation of Renewable Energy
Portfolio Standards Cost Cap Provisions,
26 *Del. C.* §354(i) & (j)



January 7, 2015
6:00 p.m.
PSC Hearing Room

REPSA

- ▶ Renewable Energy Portfolio Standards Act
- ▶ Amended by Senate Substitute 1 to Senate Bill 119 in June, 2010
- ▶ Includes cost cap provisions for regulated utilities, 26 *Del. C.* §354(i) & (j)
 - ▶ RPS: 3% of total retail cost of electricity
 - ▶ Solar PV: 1% of total retail cost of electricity



Proposed Regulation

- ▶ Directs how the Division of Energy & Climate calculates the cost of compliance with the RPS
- ▶ Directs how the Director of the Division of Energy & Climate determines whether and when to impose a freeze in implementation of the RPS
- ▶ Directs how the Director of the Division of Energy & Climate determines whether and when to lift a freeze



Regulatory Process

- ▶ Petition for Rule-making filed with the Division of Energy & Climate on November 2, 2011
- ▶ Start Action Notice signed by DNREC former Secretary Collin O'Mara on April 16, 2012
- ▶ Workgroup sessions held in August and September, 2012
- ▶ Proposed Regulation published December 1, 2013



Regulatory Process, continued

- ▶ Public Hearing held on January 8, 2014
- ▶ Comments received for the record
- ▶ Review by Deputy Attorney General
- ▶ One significant change resulted from legal review



Changes to Proposed Regulation

- ▶ Cumulative or total interpretation of cost of compliance replaced by year-over-year interpretation
- ▶ Significant change requires republication and new hearing
- ▶ Revised Proposed Regulation published December 1, 2014



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