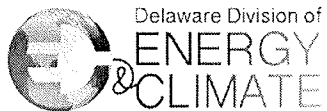


**Public Hearing:  
Implementation of Renewable Energy  
Portfolio Standards Cost Cap Provisions,  
26 Del. C. §354(i) & (j)**



November 23, 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



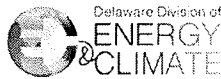
## Regulatory Process

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



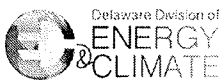
## Regulatory Process, Continued

- ▶ Proposed Regulation published in December 1, 2013 *Register of Regulations*
- ▶ Public Hearing held on January 8, 2014
- ▶ Second draft Regulation published in December 1, 2014 *Register of Regulations*
- ▶ Public Hearing held on January 7, 2015



## Regulatory Process, Continued

- ▶ Erroneous draft Regulation published in the October 1, 2015 *Register of Regulations*
- ▶ Correct draft Regulation published in November 1, 2015 *Register of Regulations*
- ▶ Comment period open until December 8, 2015 at 4:30 p.m.
- ▶ All comments received to date are part of the record



## Changes to Proposed Regulation

- ▶ The total annual interpretation of the cost of compliance replaces the year-over-year interpretation
- ▶ QFCP or Bloom Energy costs (not defined as renewable energy in the statute) are not included in the cost of compliance
- ▶ Specific references to consultation with the PSC are included



## Contact Information

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