

**BEFORE THE PUBLIC SERVICE COMMISSION**  
**OF THE STATE OF DELAWARE**

IN THE MATTER OF THE REVIEW OF THE )  
DELAWARE ELECTRIC COOPERATIVE, INC. )  
FOR APPROVAL OF A COST ACCOUNTING ) PSC DOCKET NO. 00-365  
MANUAL AND A CODE OF CONDUCT )  
(FILED JUNE 30, 2000) )

**ORDER NO. 5556**

**AND NOW**, this 26<sup>th</sup> day of September, A.D. 2000;

**WHEREAS**, in PSC Docket No. 99-457, the Delaware Electric Cooperative, Inc. ("DEC") filed, as part of the restructuring plan required of it by 26 Del. C. § 1005(b), a proposed Code of Conduct ("Code") and accompanying Cost Accounting Manual ("CAM"); and

**WHEREAS**, the Code would govern the relationship between DEC, as an electric distribution company, and any non-regulated, but affiliated, electric supplier and would set standards to ensure that all suppliers have, on a non-discriminatory basis, access to DEC's distribution network; and

**WHEREAS**, the CAM would govern the allocation of costs between DEC, as a regulated electric distribution company, and any unregulated affiliates or parent; and

**WHEREAS**, in PSC Order Nos. 5366 (Feb. 28, 2000) and 5424 (April 25, 2000), the Commission declined approving the Code and CAM proposed by DEC but accepted the parties' agreement that such documents should be reviewed in a separate proceeding to be concluded by January 31, 2001; and

**WHEREAS**, on June 30, 2000, DEC filed an application, supported by accompanying statements, requesting that such separate docket be instituted and that the Commission approve the Code and CAM proposed by DEC; and

**WHEREAS**, the Division of Public Advocate ("DPA") and Staff have discussed with DEC the desire to extend the schedule in the captioned matter beyond the January 31, 2001 date ordered by the

Commission in PSC Order No. 5515, recognizing that residential choice for members of the Cooperative is not scheduled to begin until April 1, 2001; and

**WHEREAS**, DEC is not opposed to the requested extension and Staff and DPA believe that an extension of the schedule by sixty (60) days until March 31, 2001 is in the public interest and that it would provide more time to review DEC's proposed Code and CAM, and further believing that there would be no prejudice to any member of the public as a consequence of this request; and

**WHEREAS**, the parties having reviewed the requested extension with the Hearing Examiner and the Examiner expressing not opposition to said request; now, therefore,

**IT IS ORDERED:**

1. That paragraph 4 of PSC Order No. 5515 shall be modified to extend the time in which the Commission may take final action in this Docket from January 31, 2001 to March 31, 2001.
2. That PSC Order No. 5515 shall remain in effect and shall not be further modified except by further written Order of this Commission.
3. 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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/s/ Robert J. McMahon

Chairman

/s/ Joshua M. Twilley

Vice Chairman

/s/ Arnetta McRae

Commissioner

/s/ Donald J. Puglisi

Commissioner

Commissioner

ATTEST:

/s/ Karen J. Nickerson

Secretary