



SPONSOR: Sen. McDowell & Rep. Paradee  
Rep. Kowalko

DELAWARE STATE SENATE  
149th GENERAL ASSEMBLY

SENATE BILL NO. 179

AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING THE DIVISION OF THE PUBLIC ADVOCATE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

1           Section 1. Amend § 8716, Title 29 of the Delaware Code by making deletions as shown by strike through and  
2     insertions as shown by underline as follows:

3           § 8716. Division of the Public Advocate.

4           (e) The Public Advocate shall have the following powers and duties:

5                   (3) To appear on behalf of the interest of consumers ~~in the courts of this State, the federal courts and federal~~  
6     ~~administrative~~ before State and federal courts and State and federal regulatory agencies and commissions in matters  
7     involving rates, ~~service~~ services, and practices of public utilities and in any matter involving energy policy.

8                   (4) To hire experts in utility regulation, ~~from time to time, as needed,~~ as needed in connection with  
9     proceedings before the Commission, ~~experts in the utility regulation field, including, but not limited to,~~ Commission  
10    and under paragraph (e)(3) of this section, including economists, cost of capital experts, rate design experts,  
11    accountants, ~~engineers~~ engineers, attorneys, and other specialists. A budget for compensation ~~and/or~~ and expenses of  
12    these experts ~~shall~~ must be provided annually through the Delaware Public Utility Regulatory Revolving Fund.  
13    Nothing in this section ~~shall~~ may be construed to preclude the Public Advocate from applying to the General  
14    Assembly for additional funds in specific instances, including emergencies, and from receiving such additional  
15    amounts as the General Assembly ~~shall determine~~ determines.

SYNOPSIS

This Act clarifies that the Public Advocate may appear before any federal or state court or federal or state administrative body in matters involving public utility rates, service, practices, and energy policy.

This Act also makes technical corrections to conform existing law to the standards of the Delaware Legislative Drafting Manual.

Author: Senator McDowell