

LAWS OF DELAWARE
VOLUME 85
CHAPTER 290
153rd GENERAL ASSEMBLY
FORMERLY
SENATE BILL NO. 276

AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO ELECTRIC UTILITIES.

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

Section 1. Amend Chapter 1, Title 26 of the Delaware Code by making deletions as shown by strikethrough and insertions as shown by underline as follows:

§ 224. Regulations governing exempt electric cooperatives.

Notwithstanding any electric cooperative's election to exempt itself from the regulatory authority of the Commission under § 223 of this title, during any such period of exemption:

(9) In the event such cooperative has implemented a restructuring plan that provides for retail competition in its Delaware service territory, such electric cooperative:

f. 1. ~~Shall~~ Except as provided in paragraph (2) hereof, shall have the obligation to provide electric supply service, in accordance with the cooperative's published rate schedules, terms and conditions of service to all customers within its Commission-designated territory who:

~~1.A.~~ Have no choice regarding electric suppliers;

~~2.B.~~ Do not choose another electric supplier; or

~~3.C.~~ Have contracted for electric supply service that is not delivered

2. A cooperative shall have the right, but not the obligation, to provide electric supply service to any customer who will have a projected monthly demand of more than 50MW at any time during a 10 year load ramp period. Two or more customers under common ownership of a single entity or affiliated entities and located on one parcel of land or contiguous parcels may be treated as a single customer for purposes of this paragraph.

Approved June 10, 2026