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DELAWARE STATE SENATE
144th GENERAL ASSEMBLY

SENATE BILL NO. 328

AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO OFFSHORE WIND POWER INSTALLATIONS.

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

1 Section 1. Amend § 356, Title 26 of the Delaware Code, by inserting as new "§ 356(c)" the following:
2 “(c) A Commission regulated electric company shall receive 350% credit toward meeting the
3 Renewable Energy Portfolio Standards established pursuant to this subchapter for energy
4 derived from off-shore wind energy installations sited off the Delaware coast on or before May
5 31, 2017.
6 (1) To be entitled to 350% credit, contracts for energy and renewable energy
7 credits from such off-shore wind energy installations must be executed by
8 Commission regulated electric companies prior to commencement of
9 construction of such installations.
10 (2) Commission regulated electric companies shall be entitled to such multiple credits
11 for the life of contracts for renewable energy credits from off-shore wind installations
12 executed pursuant to this subsection.”

13 Section 2. Amend Title 26 of the Delaware Code, by adding the following new section 364:

14 “§ 364. Special provisions for customers of Public Service Commission regulated electric
15 companies.

16 All costs arising out of contracts entered into by a Commission regulated electric company
17 pursuant to § 1007(d) of this Title shall be distributed among the entire Delaware customer base
18 of such companies through an adjustable non-bypassable charge which shall be established by
19 the Commission. Such costs shall be recovered if incurred as a result of such contracts unless,
20 after Commission review, any such costs are determined by the Commission to have been
21 incurred in bad faith, are the product of waste or out of an abuse of discretion, or in violation of
22 law.”

SYNOPSIS

This bill promotes the establishment of clean offshore wind energy off the coast of Delaware, while minimizing the cost concerns related to offshore wind installations and encouraging DPL to execute offshore wind power purchase agreements for customers by: (1) Creating a 350% offshore wind renewable energy credit multiplier, (2) Making the 350% renewable energy credit multiplier available for the life of offshore wind contracts, and (3) spreading both the cost and the benefits of offshore wind power contracts executed by DPL to DPL's entire customer base, rather than only to DPL's standard offer service customers.

Senator DeLuca