



NEW CASTLE COUNTY COUNCIL ADMINISTRATIVE-FINANCE COMMITTEE MEETING

**Co-Chair George Smiley, Seventh District
Co-Chair John Cartier, Eighth District**

**February 10, 2026
5:00 PM**

VIRTUAL ZOOM WEBINAR MEETING &
LOUIS L. REDDING CITY/COUNTY BUILDING
1ST FLOOR COUNCIL CHAMBERS
800 N. FRENCH STREET, WILMINGTON, DE 19801**

REVISED AGENDA

A. Call To Order/Roll Call

B. Approval of Minutes - January 27, 2026

C. Review/Discussion of Resolution(s)

R26-024: URGING THE PUBLIC SERVICE COMMISSION TO REJECT DELMARVA POWER'S CURRENT RATE INCREASE REQUEST AND TO REQUIRE RESUBMISSION UNDER THE CURRENT STANDARD

Prime Sponsor(s): Ms. Durham, Mr. Tackett

Co-sponsor(s): Mr. Carter, Mr. Toole

R26-026: TO AMEND NEW CASTLE COUNTY COUNCIL PROCEDURAL RULE NO. 4 REGARDING PROCEDURE FOR COMMENCEMENT OF THE COUNCIL MEETING

Prime Sponsor(s): Mr. Smiley

D. Review/Discussion of Ordinance(s)

E. New Castle County Grant Requests/Community Events

F. Expense and Revenue Round Table

G. Other

--Telecommuting agreement--District 6 Legislative Assistant

H. Public Comment

I. Council Member Comment

J. Adjournment**REVISED AGENDA POSTED: Tuesday, February 6, 2026**

AGENDA POSTED: Tuesday, February 3, 2026

*The agenda was revised less than 7 (seven) days in advance of the meeting to add R26-026, which was not known at the original time of posting, but is time-sensitive, as it relates to the Council agenda. The agenda is posted (7) seven days in advance of the scheduled meeting in compliance with 29 *Del. C.* Section 10004(e)(2). The meeting may go into Executive Session to address issues that arise at the time of the meeting.

****Under Title 29, Section 10006A of *Delaware Code*, New Castle County Council is holding this meeting as a**

telephone and video conference, utilizing  Webinar. In addition, this meeting is open to the public in Council Chambers (800 N. French Street, Wilmington, DE 19801). The link to join the meeting via computer, smart device, or smart phone is : <https://zoom.us/j/377322142> You may also call into the meeting (audio) using the following call in numbers: 1-312-626-6799 or +1-646-558-8656 or +1-346-248-7799 or +1-669-900-9128 or +1-253-215-8782 or +1-301-715-8592. Then enter the Webinar ID: 377 322 142. If you do not have a good connection with one, please try the others. Additional information regarding phone functionality during the meeting is available at: <https://support.zoom.us/hc/en-us/articles/360029527911-Live-Training-Webinars>

Meeting materials, including a meeting agenda, legislation to be addressed during the meeting, and other materials related to the meeting are electronically accessible at <https://www.nccde.org/2351/Agendas-and-Minutes> Members of the public joining the meeting may be provided an opportunity to make comments in real time. A comment period will be administered by a moderator to ensure everyone may have an opportunity to comment.

If permitted to comment, you will not be able to speak until called upon by the moderator. For those appearing virtually, there are functions in the program that allow you to do this. Please see the link in the previous paragraph.

Prime Sponsor(s): Ms. Durham, Mr. Tackett
Co-sponsor(s): Mr. Carter, Mr. Toole
Date of introduction: February 10, 2026

RESOLUTION NO. 26-024

URGING THE PUBLIC SERVICE COMMISSION TO REJECT DELMARVA POWER'S CURRENT RATE INCREASE REQUEST AND TO REQUIRE RESUBMISSION UNDER THE CURRENT STANDARD

1 **WHEREAS**, the residents of Delaware have experienced significant and sustained
2 increases in energy costs, placing an undue burden on families already struggling to afford
3 essential goods and services; and

4 **WHEREAS**, notwithstanding this, Delmarva Power ("Delmarva") has filed for a
5 \$67.8 million increase in base-rate revenue, the third such request in 5 years. Delaware's
6 Public Advocate is challenging this, citing high proposed profits (10.5% return on equity);
7 and

8 **WHEREAS**, the General Assembly recently took decisive action last year by
9 passing legislation to replace the "business judgment" rule with the "prudence standard,"
10 thereby providing the Public Service Commission (PSC) greater latitude to reject or modify
11 unfair rate increases; and

12 **WHEREAS**, the intent of the legislation was to require utilities to provide
13 documentation and justification for rate proposals to ensure costs passed to our residents
14 are both necessary and reasonable; and

15 **WHEREAS**, Delmarva submitted a request for a rate increase on December 9,
16 2025, strategically timing the filing to fall under the expiring "business judgment" rule rather
17 than the "prudence standard" which took effect on January 1, 2026; and

18 **WHEREAS**, Governor Meyer, in his 2026 State of the State address, specifically
19 urged the PSC to utilize every available tool to prevent further rate increases from being
20 passed onto Delawareans; and

21 **WHEREAS**, Delmarva proposes a profit that unacceptably prioritizes out-of-state
22 investor returns over the financial stability of Delaware's working families and fixed-income
23 households; and

24 **WHEREAS**, in particular, Delmarva's request could result in base rate increases as
25 high as 23.7% (approximately \$15.63 per month) for certain customers when accounting
26 for existing surcharges on customer utility bills.

27 **NOW, THEREFORE, BE IT RESOLVED** by and for the County Council of New
28 Castle County that County Council hereby joins the Delaware General Assembly in:

- 29 1. Formally requesting that the Public Service Commission reject Delmarva's
30 December 9, 2025 filing in its entirety.
- 31 2. Demanding that any future rate increase requests from Delmarva be submitted
32 under the current standard known as the "prudence standard."

- 33 3. Urging the Public Service Commission to scrutinize Delmarva's requested profit and
34 to seek a significantly lower rate that does not reward investors at the expense of
35 the citizens of our County and this State.
- 36 4. Urging the Public Service Commission to utilize its authority to protect the citizens
37 of our County and Delawareans generally from unfounded rate hikes.

Adopted by County Council of
New Castle County on:

Monique Williams-Johns
President of County Council
of New Castle County

SYNOPSIS: This Resolution urges the Public Service Commission to reject Delmarva Power's proposed rate increase and to require resubmission under the current standard in order to protect the citizens of New Castle County and the State of Delaware generally from excessive rate increases.

FISCAL NOTE: There is no discernible fiscal impact with the adoption of this legislation.

CC The Honorable Members of the Delaware General Assembly

Delmarva Power Files Request For \$67.8 Million Base Rate Increase

Delmarva also filed for rate increases in 2020 and 2022, with the last increase approved just last year.

On December 9, 2025, Delmarva Power and Light (“Delmarva”) filed an application with the Delaware Public Service Commission (“Commission”) to increase its total revenue from base rates by \$67.8 million compared to the rates approved in 2024 in its last base rates case. Delaware law allows utilities to implement the new rate on an interim basis, subject to refund pending the outcome of this case, and these rates as interim rates effective July 9, 2026.

Separately, new electric supply rates will also go into effect on June 1, 2026. Of the \$67.8 million increase, \$44.6 million sought is new revenue, and \$23.2 million is already being paid by Delmarva customers through Distribution System Improvement Charge (DSIC) rates. As part of its application, Delmarva is seeking an increase in the monthly customer charge from \$13.50 to \$15.94. The application will be reviewed in a Commission docket before a hearing examiner before being presented to the Commission, likely in late 2026.

This application is Delmarva’s third electric base rates application in the span of roughly five years (2020-2025), which have collectively sought \$160 million in additional annual revenue from Delmarva customers, although significantly less has been allowed by the Commission. Delmarva also filed a request for a multi-year rate plan, which it ultimately withdrew.

Delmarva has estimated that a non-space heating customer using an average of 810 kWh will see an average increase of \$6.42 per month (or a 4.13% increase in their total bill) from this request. However, Delmarva’s calculation excludes amounts included in DSIC rates (which are incremental rate increases between rate cases that Delmarva has already implemented). Other portions of customers’ bills have also increased in recent years, including costs that are passed through to customers including electric supply costs and capacity costs, which have risen rapidly.

The Division of the Public Advocate (DPA) believes a better comparison is (1) to exclude DSIC rates and instead compare to the rates approved in the last rate case, and (2) to compare to the base rates from the last rate case, not as a percentage of a customer’s overall bill. As compared to the rates approved in the last rate case, a non-space heating customer using an average 830 kWh per month will see an increase in their base rates of \$9.30 per month or 16.2%, and a space heating customer using an average 1054 kWh per month will see an increase of \$15.63 per month or 23.7%.

*“If granted by the Commission, this request would significantly increase electricity bills for Delmarva customers, at the same time they are already being squeezed by other rising costs, including rising costs of electricity and natural gas, and rapidly rising regional costs like capacity costs that flow through to customers,” said **Jameson Tweedie, Delaware Public Advocate**. “Delmarva’s request for a 10.5% return on equity when customers are facing an affordability crisis is a complete non-starter for my office. We will carefully review Delmarva’s application and will vigorously argue before the Commission for the lowest reasonable rates necessary to deliver reliable service.”*

Delmarva’s application argues that the increased revenue will support programs to provide its’ ratepayers with dependable, affordable electric services, and that it has made significant investments in infrastructure to maintain the electric grid’s resiliency, among other things. DPA will evaluate these assertions and the appropriateness of such investments.

Delmarva's application also proposes a new income-based discount rate to customers enrolled in the Low-Income Home Energy Assistance Program or the Delaware Energy Assistance Program. DPA supports programs to reduce utility costs, but DPA's mission is to represent all residential and small commercial customers and will work to ensure that these discounted rates are implemented in a manner that does not increase rates for other residential and small commercial customers.

Separately, Delmarva has filed a proposal to seek cost recovery from Delmarva customers for energy efficiency and affordability programs, which will be addressed in a separate docket. DPA believes energy efficiency programs can be an effective tool to allow customers to reduce their electric bills, and supports Delmarva's affordability goal, but will rigorously evaluate these programs to ensure they deliver benefits to both participating customers and the system as a whole.



HOUSE OF REPRESENTATIVES
STATE OF DELAWARE
411 LEGISLATIVE AVENUE
DOVER, DELAWARE 19901

Chairman Winslow and members of the Public Service Commission,

In the last few years, we have seen significant increases in residents' energy bills. Families are already struggling to keep pace with the rising costs of essential goods and services, and the increased cost of gas and electricity is only adding to these families' strained finances. That is why last year the General Assembly passed legislation to change the standard by which rate increases would be considered, switching from the business judgement to the prudence standard. This legislation would allow the Commission more latitude to reject, or further modify, unfair and unfounded rate increases and require utilities to provide greater documentation in support of their rate proposals before being allowed to bring increased costs onto our constituents.

That is why we are disappointed to see Delmarva Power's December 9th request for a rate increase. The timing of this submission means it still falls under the old business judgement rule instead of the prudence standard which went into effect at the beginning of 2026. This date was chosen to give the Commission time to develop new regulations and processes for the new prudence standard you would be adopting. It is our belief that the request should be resubmitted in the new year so that it will fall under the prudence standard this body overwhelmingly supported, sending a loud and clear message that we wanted future rate increases decided by prudence rather than business judgement. In Governor Meyer's state of the state address last week, he urged the Public Service Commission to utilize every tool available to prevent more rate increases from being passed onto our constituents. We second this request and ask the PSC to reject this request to allow for a second more reasonable proposal to come forward under the prudence standard.

Additionally, we hope that when the request is resubmitted that the return on equity requested by Delmarva Power is significantly lower than its current request of 10.5%. We cannot reward Delmarva investors with such high returns on the backs of our constituents.

As noted in the Public Advocate's January 12th press release, Delmarva Power has sought three electric base rate adjustments in the past five years and this most recent request would see increases of 4.13% or \$6.42 per month on the average customer's bill. But these could be higher for space heating customers and is higher when considering the rate increase builds in existing DSIC rates which were not part of the last rate case. With those caveats, some customers' base

rates could increase 23.7% or \$15.63 month. These are percentage increases many working families and fixed-income households will struggle to build into their budgets.

In our previous letter to the Public Service Commission last spring, we stated our intention to change the state towards the prudence standard and for the Commission to utilize it to protect our constituents from injurious rate increases. We are now asking you to do everything in your power to enforce that legislation, including making the case that Delmarva Power should resubmit their rate case under the new prudence standard that the General Assembly put into place and reject the current rate case that attempts to pass on significant costs to Delawareans to benefit out of state shareholders.

We, the members of the General Assembly, will not stand idly by while utilities create excessive returns for their investors at the expense of our constituents. The people of Delaware are looking to all of us to step up and provide the relief they desperately need, and they deserve our full attention and effort at every level of government to provide that relief.

Sincerely,



Rep. Melissa Minor-Brown
House Speaker
State Representative
17th District



Sen. David P. Sokola
Senate President Pro Tempore
State Senator
8th District



Rep. Kerri Evelyn Harris
House Majority Leader
State Representative
32nd District



Sen. Bryan Townsend
Senate Majority Leader
State Senator
11th District



Rep. Ed Osienski
House Majority Whip
State Representative
24th District



Sen. Elizabeth "Tizzy" Lockman
Senate Majority Whip
State Senator
3rd District



Rep. Nnamdi O. Chukwuocha
State Representative
1st District



Rep. Stephanie T. Bolden
State Representative
2nd District



Rep. Josue Ortega
State Representative
3rd District



Rep. Kendra Johnson
State Representative
5th District



Rep. Debra Heffernan
State Representative
6th District



Rep. Larry Lambert
State Representative
7th District



Rep. Sherae'a Moore
State Representative
8th District



Rep. Melanie Ross Levin
State Representative
10th District



Rep. Krista Griffith
State Representative
12th District



Rep. DeShanna Neal
State Representative
13th District



Rep. Claire Snyder-Hall
State Representative
14th District



Rep. Kamela Smith
State Representative
15th District



Rep. Sophie Phillips
State Representative
18th District



Rep. Kimberly Williams
State Representative
19th District



Rep. Alonna Berry
State Representative
20th District



Rep. Frank Burns
State Representative
21st District



Rep. Mara Gorman
State Representative
23rd District



Rep. Cyndie Romer
State Representative
25th District



Rep. Madinah Wilson-Anton
State Representative
26th District



Rep. Eric Morrison
State Representative
27th District



Sen. Daniel Cruce
State Senator
1st District



Sen. Darius J. Brown
State Senator
2nd District



Sen. Laura V. Sturgeon
State Senator
4th District



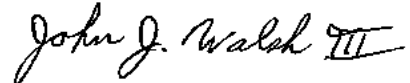
Sen. Raymond Seigfried
State Senator
5th District



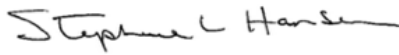
Sen. Russ Huxtable
State Senator
6th District



Sen. Spiros Mantzavinos
State Senator
7th District



Sen. John "Jack" Walsh
State Senator
9th District



Sen. Stephanie L. Hansen
State Senator
10th District



Sen. Nicole Poore
State Senator
12th District



Sen. Marie Pinkney
State Senator
13th District



Sen. Kyra Hoffner
State Senator
14th District



Sen. Trey Paradee
State Senator
17th District

RESOLUTION NO. 26-026

**TO AMEND NEW CASTLE COUNTY COUNCIL PROCEDURAL RULE NO. 4
REGARDING PROCEDURE FOR COMMENCEMENT OF THE COUNCIL MEETING**

1 **WHEREAS**, the First Amendment to both the Delaware Constitution and the
2 United States Constitution ensures essential rights to all Americans, including the right to
3 freely exercise one's faith or religion (or to believe in none at all); and
4

5 **WHEREAS**, moreover, County Council respects the individual religious rights of
6 each Council Member as well as those of the Citizens of New Castle County; and
7

8 **WHEREAS**, County Council desires to maintain a respectful, accepting, and
9 inclusive atmosphere at Council meetings without preference of any specific faith or
10 religious tradition over another; and
11

12 **WHEREAS**, a moment of silence ensures inclusivity and equality by allowing all
13 meeting attendees to personally reflect to themselves in a manner chosen by and, thus,
14 fitting to each individual; and
15

16 **WHEREAS**, Delaware State law provides that New Castle County Council shall
17 determine its own rules and order of business (9 *Del. C.* Section 1150); and
18

19 **WHEREAS**, consistent with the above, County Council's Rules of Procedure
20 empower Council to determine the order and process of business at its meetings.
21

22 **NOW, THEREFORE, BE IT RESOLVED** by and for the County Council of New
23 Castle County that County Council hereby amends County Council Procedural Rule No.
24 4 by adding the followed underscored language.
25

26 **RULE NO. 4 REGULAR COUNCIL MEETINGS...**
27

28 4.3.1. Item A. Introductory Matters (*i.e.*, Call to Order; Moment of Silence;
29 Pledge of Allegiance; Roll Call by Clerk of Council).
30

31 4.3.1.1. Council shall observe a moment of silence at the start of the Council
32 Meeting, at which time each meeting attendee is free to join Council by silently
33 recognizing to themselves a moment of quiet reflection, meditation, or
34 memorialization.

Adopted by County Council of
New Castle County on:

Monique Williams-Johns
President of County Council
of New Castle County

SYNOPSIS: County Council Rule of Procedure No. 4.3.1 provides for a moment of silence at the beginning of the Council Meeting. This Resolution makes clear that each meeting attendee is free to join Council in the moment of silence by way of silently recognizing to themselves a moment of quiet reflection, meditation, or memorialization as appropriate to each attendee.

FISCAL NOTE: There is no discernible fiscal impact with the adoption of this legislation.