

JOHN A. KOWALKO
STATE REPRESENTATIVE
Twenty - Fifth District



HOUSE OF REPRESENTATIVES
STATE OF DELAWARE
LEGISLATIVE HALL
DOVER, DELAWARE 19901

COMMITTEES
Policy Analysis & Government
Accountability, Chair
Energy, Chair
Joint Sunset,
Vice Chair
Education
Health & Human Development
Manufactured Housing
Natural Resources

Energy Committee
Meeting Minutes
April 28, 2010

Vice-Chair Mulrooney called the meeting to order at 4:10 p.m. Members present included Chairman Kowalko, Representatives Barbieri, Mulrooney, B. Short and Kovach. For a list of guests present, please see attached.

After calling the meeting to order, Vice-Chair Mulrooney addressed **HB 378, AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO ENERGY EFFICIENCY RESOURCE STANDARDS**, and recognized Chairman Kowalko, the bill's sponsor. Chairman Kowalko explained that § 1500(8) was added to the code as an amendment to SB 106 of the 145th General Assembly, which was passed at the end of session without having a committee hearing on the bill. He further explained that this section has the unintended consequence of requiring the Public Service Commission (PSC) to approve decoupled rate design mechanisms. Chairman Kowalko continued that decoupling is a complex issue; one that many legislators do not have expertise in. The decision to approve or disapprove a decoupling mechanism should be the task of the regulatory body, PSC, and not the legislature.

Rep. Kovach stated he had a few questions regarding the purpose of this section's original inclusion and if decoupling is part of a commitment by the state for any federal funding or grant. Chairman Kowalko stated that this is not part of any commitment by the state. Rep. Kovach asked for clarification that this bill puts decoupling back on the table as an option for PSC, which Chairman Kowalko confirmed.

Chairman Kowalko opened comment to the public. Joe Farley with Delmarva Power stated that Delmarva had no issue with the bill. John Flaherty also commented that he supports this bill, but had an issue that a major piece of legislation (SB 106) was introduced at the very end of session and did not have to go through committee.

Chairman Kowalko circulated the legislation for signatures to release the bill from committee. The bill was released on a 4-8-0 vote.

Chairman Kowalko then addressed **SCR 27, URGING THE PRESIDENT AND THE UNITED STATES CONGRESS TO ADDRESS THE ISSUE OF CLIMATE CHANGE AND ENERGY BY PASSING CLEAN ENERGY LEGISLATION THAT PROMOTES JOBS AND INNOVATIVE ENERGY DEVELOPMENT, STRENGTHENS NATIONAL ENERGY AND ECONOMIC SECURITY, AND POSITIONS THE UNITED STATES TO**

BE A LEADER IN THE FIELD OF CLEAN ENERGY. Chairman Kowalko stated that this resolution urges Congress to enact comprehensive clean energy legislation. Rep. Kovach stated that he would have preferred the language to be more specific, such as commenting on CO₂ emissions, considering the phrase climate change is controversial. Chairman Kowalko responded by stating that climate change is occurring; how we contribute to it is up for debate. Rep. Kovach also stated that this is a good step in the right direction.

Chairman Kowalko opened comment to the public. Sally Spence, of the League of Women Voters, stated the league supports the bill, but would have liked to see mention of efforts to improve energy conservation and efficiency. Jim Black stated the Clean Air Council also supported the legislation.

Chairman Kowalko circulated the legislation for signatures to release the bill from committee. The bill was released on a 0-11-0 vote.

Chairman Kowalko adjourned the meeting at [insert time.]

Respectfully submitted,

Katie Anderson