

STATE OF DELAWARE



EXECUTIVE DEPARTMENT DOVER

EXECUTIVE ORDER
NUMBER ONE HUNDRED SIX

TO: Heads of All State Departments and Agencies

RE: The Establishment of the Delaware Energy Resources
Conservation and Development Commission; and the
Abolition of the Delaware Energy Emergency Board

WHEREAS, hydrocarbon and electrical energy is essential to the health, safety, and welfare of the people of this State and to the State economy, and it is the responsibility of State Government to ensure that a reliable supply of hydrocarbon and electrical energy is maintained at a level consistent with the need for such energy for protection of public health and safety, for promotion of the general welfare, and for environmental quality protection; and

WHEREAS, the present rapid rate of growth in demand for all types of energy is in part due to wasteful, uneconomical, inefficient, and unnecessary uses of power and a continuation of this trend will result in serious depletion or irreversible commitment of energy, land and water resources, and potential threats to the State's environmental quality; and

WHEREAS, in planning for future hydrocarbon development, electrical generation, and related transmission facilities, State, regional, and local plans for land use, urban expansion, transportation systems, environmental protection, and economic development should be considered; and

WHEREAS, there is a pressing need to accelerate research and development into alternative sources of energy and into improved technology of design and siting of power facilities; and

WHEREAS, prevention of delays and interruptions in the orderly provision of hydrocarbon and electrical energy, protection and environmental values, and conservation of energy resources require expanded authority and technical capability within State government; and

WHEREAS, it is the policy of the State and the intent of the Executive Branch to employ a range of measures to reduce wasteful, uneconomical, and unnecessary uses of energy, thereby reducing the rate of growth of energy consumption, prudently

conserve energy resources, and assure statewide environmental, public safety, and land use goals; and

WHEREAS, the Delaware Energy Emergency Board was created by Executive Order Number Eight as approved on May 4, 1973 (and as amended by Executive Order Number Thirty-Four approved January 3, 1974 and Executive Order Number Eighty-Six as approved on November 13, 1975); and

WHEREAS, it is desirable to eliminate duplication of effort in executing the intent of this Executive Order;

NOW THEREFORE, I, SHERMAN W. TRIBBITT, by virtue of the authority vested in me as Governor of the State of Delaware, do hereby declare and order as follows:

1. The abolition of the Delaware Energy Emergency Board which was created and confirmed by Executive Order Number Eight on May 4, 1973 (as amended by Executive Order Number Thirty-Four approved January 3, 1974 and Executive Order Number Eighty-Six approved November 13, 1975).
2. The creation of the Delaware Energy Resources Conservation and Development Commission. This Commission shall serve in an advisory capacity to the Director of State Planning and shall consider matter relating to the following broad areas of responsibility:
 - a) Development of five, ten, and twenty year forecasts of energy demand and supply.
 - b) Coordination of and liaison with programs of research and development in energy supply, consumption, and conservation and the technology of siting facilities in order to identify those forms of research and development which are of particular importance to Delaware.
 - c) To carry out studies, technical assessments, research projects, data collection and actions directed to reducing wasteful, inefficient, unnecessary, and uneconomical uses of energy, including but not limited to the following:
 - (1) Pricing of electricity and other forms of energy.
 - (2) Improved building design and insulation.
 - (3) Restriction of promotional activities designed to increase the use of electrical energy by consumers.
 - (4) Improved appliance efficiency.
 - (5) Improved energy efficiency within the transportation sector.

- d) Siting of energy facilities which will include locating possible sites, processing notice of intention, evaluating acceptability of sites, establishing a monitoring system to insure compliance with approved design and construction standards.
 - e) Beginning January 1, 1977, and every year thereafter, the Commission will transmit to the Governor and Legislature a comprehensive report on emerging trends related to energy supply, demand, and conservation in the State. This Annual Energy Report shall include the following:
 - (1) An overview, looking twenty years ahead, of statewide economic growth, patterns of urban metropolitan expansion, shifts in transportation modes, and other factors which relate to future requirements for energy.
 - (2) Five and ten year forecasts of electrical energy facilities, and hydrocarbon energy facilities.
 - (3) Yearly reports on energy consumption patterns.
 - (4) A list of potential sites for additional energy facilities.
 - (5) Identification of potential adverse social, economic, and environmental impacts which might be imposed by continuation of growth in energy demand and methods by which demand may be reduced.
 - (6) Recommendations to the Governor and Legislature for administrative and legislative actions based upon results of commission studies.
3. The Delaware Energy Resources Conservation and Development Commission shall be composed of members knowledgeable in energy matters and have a background in one of these areas: economics, environment, science/engineering, law and the general public interest. The Commission members shall be appointed by the Governor and serve during his pleasure.
 4. The Chairman of the Commission shall be designated by the Governor from among the members and shall serve during the pleasure of the Governor.
 5. The Commission shall have the power to create subcommittees as necessary. At least one member of the Commission shall serve on each subcommittee so created.
 6. In addition to the members of the Delaware Energy Resources Conservation and Development Commission provided for in this Order, the Governor may create subcommittees and name members to such subcommittees as he deems appropriate

without issuing additional Executive Orders. A letter of appointment signed by the Governor shall be sufficient authority for such appointee to serve on such subcommittee.

- a) The Governor may appoint Chairmen to the subcommittees created as defined in Paragraph 5. A letter of appointment signed by the Governor shall be sufficient authority for such appointee to serve as Chairman.

- 7. The State Planning Office shall act as the principal staff agency for the Delaware Energy Resources Conservation and Development Commission, and in this capacity, will undertake special studies and investigations; submit reports; and render assistance to the Commission, the Legislature, and the Governor as required by this Order and as otherwise requested.

APPROVED THIS [✓] 16th DAY OF August 1976



GOVERNOR

ATTEST:



Secretary of State

