

A RESOLUTION extending Docket No. D-69-210 CP Final (Revision 11), known as the “Exelon Mine Water Demonstration Project,” for one year to continue the mine pool withdrawal and stream flow augmentation demonstration project.

WHEREAS, Docket No. D-69-210 CP Final (Revision 11) (“the docket”), issued on June 26, 2003 to Exelon Generation Company, LLC (“Exelon”), approved the current mine pool withdrawal and stream flow augmentation demonstration project to test an alternative source of cooling water make-up at Exelon’s Limerick Generating Station (“LGS”); and

WHEREAS, Section I.(7) of the docket provides that the project approval shall expire six months from the date of approval unless extended by the Executive Director; and

WHEREAS, due to the unusually high stream flow conditions that occurred during the six-month project period, the project did not demonstrate the efficacy of the mine pool withdrawal and flow augmentation approach under low stream flow conditions; and

WHEREAS, staff recommends that the project period be extended by twelve months and that in addition to an interim report required under Section I.(5) of the docket to be submitted by April 30, 2004, a set of draft and final reports be required to be submitted twelve months from the dates set forth in Section I.(5) to ensure that low flow conditions are included and fully analyzed in the project; and

WHEREAS, because the length of the proposed docket extension is greater than staff and others may have contemplated when the docket was approved and because of the high degree of public interest in the Exelon Mine Water Demonstration Project, the Executive Director has exercised her discretion to subject the proposed revisions to public hearing and an action of the Commission; now therefore,

BE IT RESOLVED by the Delaware River Basin Commission:

1. Docket No. D-69-210 CP Final (Revision 11) is hereby extended until December 26, 2004.
2. The due dates for submission of draft and final reports under Section I.(5) of the docket are extended to February 29, 2005 and April 29, 2005, respectively. In addition, Exelon shall submit an interim project report by April 30, 2004.

/s/ Ernest P. Hahn

Ernest P. Hahn, Chairman *pro tem*

/s/ Pamela M. Bush

Pamela M. Bush, Esq., Commission Secretary

Adopted: December 3, 2003