



CLEAN AIR  
TASK FORCE

## RENEWABLE ENERGY PORTFOLIO STANDARD

# Delaware

### Policy type

Renewable Portfolio Standard

### Form of the standard

Energy-based

% of renewable energy required

### Targets

- **Interim:** 28% by June 1, 2030
- **Final:** 40% by 2035, including 10% solar

**Economy-wide goal:** 50% reduction in emissions by 2030; net-zero by 2050

**Point of regulation:** Retail sales, excluding sales to any industrial customer with a peak demand in excess of 1500 kilowatts

**Regulated entities:** Investor-owned utilities, municipal utilities, retail suppliers (municipal utilities and rural co-ops can exempt themselves if they adopt a comparable program beginning in 2022 ([26 Del. C. § 354\(a\)](#); [26 Del. C. § 363\(a\)](#)))

**Percent of retail sales covered by RPS:** 92%

**Implementing agency:** Delaware Public Service Commission (PSC)

**Enforcement mechanisms:** Retail electricity suppliers must submit annual reports to the Commission indicating whether they have complied with the standard.

**Compliance flexibility and cost containment:** Alternative compliance payments of \$25 per kWh for each MWh of deficiency instead of compliance with RPS. Reduction of the RPS annual requirements is available to account for expiration of REC contracts during transition outside electric supplier's control.

**Carve-outs and incentives:** Solar photovoltaic carve out – 10% by 2035. Cumulative minimum percentage requirements of eligible energy resources and solar photovoltaics shall be established by Commission rules for compliance year 2036 and each subsequent year.

**Compliance tracking:** [PJM-GATS](#)

**Notable features:** Distributed generation is eligible for RPS; customer-sited solar installed before December 31, 2014 generates triple credits

**Links to agency website and statutes/rules:** [Del. Code Tit. 26 § 354](#); [House Bill No.99](#); [Renewable Energy Portfolio Standards](#) | [Delaware Department of Natural Resources and Environmental Control](#); [Delaware's Climate Action Plan](#); [Retail Electricity Sales](#); [EPA's REC Tracking Systems](#)

### Eligible sources

Biogas

Biomass

Clean Hydrogen

Distributed  
Generation

Geothermal

Hydropower less  
than 30 MW

Wave/Tidal

Wind

Solar

See [26 Del. C. § 354\(a\)](#) and [26 Del. C. § 352\(7\)](#) for definitions of eligible energy resources. Certain limits may apply.