

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF DELAWARE**

IN THE MATTER OF THE APPLICATION OF)	
ARTESIAN WATER COMPANY, INC., FOR A)	
CERTIFICATE OF PUBLIC CONVENIENCE)	PSC DOCKET NO. 02-CPCN-03
AND NECESSITY TO PROVIDE WATER)	(FENWICK CONDOMINIUMS)
SERVICES TO CERTAIN PARCELS LOCATED)	
ON ROUTE 1 IN SUSSEX COUNTY, DELAWARE)	
(FILED FEBRUARY 1, 2002))	

**ORDER NO. 6366
GRANTING CERTIFICATE OF PUBLIC
CONVENIENCE AND NECESSITY TO EXTEND
PUBLIC WATER UTILITY OPERATIONS**

This 24th day of February, 2004, the Commission finds, determines, and Orders the following:

I. SUMMARY

1. Artesian Water Company, Inc. ("Artesian"), is a public water utility providing public utility water services throughout this State. By this Order, the Commission grants Artesian a Certificate of Public Convenience and Necessity ("CPCN" or "Certificate") to "extend" and "expand" its operations to provide public water utility services within a service territory encompassing a number of properties lying adjacent to State Route 1 north of the Town of Fenwick Island in southeastern Sussex County. The Commission highlights the words "extend" and "expand" because the facts on (or, more appropriately, in) the ground are that Artesian has been providing public utility water services to the properties in the proposed area since 2000 or 2001. Artesian has been doing so without first having obtained a CPCN

to serve this territory from either the Department of Natural Resources and Environmental Control ("DNREC") or this Commission.¹

2. In granting this Certificate, the Commission recognizes that the presently compiled record might be strictly scrutinized, in some instances, questions may lurk whether - for each and every included parcel - the documents of record satisfy the present requirements for a CPCN set forth in 26 Del. C. § 203C (2002 and 2003 Supps.) ("§ 203C") and this Commission's implementing regulations. For a large number of parcels, the documents filed by Artesian may be read to substantially meet the requirements set forth in § 203C(e)(1)b. But even in these cases, many of the supporting documents which were submitted to this Commission in early 2002 were executed by property owners or others in 1999. This temporal gap makes it somewhat difficult to apply the statutory criteria, adopted in 2001, to actions undertaken in 1999. In the case of other parcels that are now included in the territory, the record indeed may not contain the documentation to meet all the statutory criteria. But the Commission believes that any of these ambiguities - or indeed gaps - must be measured against the fact that now, and for more than two years, Artesian has been providing water services to the parcels in the area and that, during such period, the landowners (both present and past) have apparently been paying Artesian's water bills without voicing any objection to Artesian providing such utility services. The

¹7 Del. C. § 6076 (1991) (repealed eff. July 1, 2001) (requiring a CPCN from DNREC prior to any extension of water utility operations); 26 Del. C. § 203C(a) (2003 Supp.) (requiring a CPCN from this Commission prior to a water utility's extending or expanding its business or operations).

Commission finds that the public interest would not be well served by ignoring this fait accompli, and rejecting - or even further delaying - Artesian's CPCN application based on lingering questions about the sufficiency of one or more of the documents submitted. Consequently, in the unique circumstances of this case (which should not be repeated), the Commission grants Artesian a CPCN to serve the properties listed in Exhibit "A".²

3. This action by the Commission should not be taken by Artesian, or by any other entity, as condoning Artesian's decision to expand its operations to provide water services to subscribers in this area without having first obtaining the required CPCN for such an expansion. The relevant statutory command (see n. 1) is clear, and the regulatory permitting scheme under § 203C would not long survive if a water utility feels it can simply ignore the statutory directive and push ahead with its business plan without first obtaining the required CPCN.

4. Artesian has provided to Staff an explanation for why it chose to provide water services in this area prior to its receipt of a CPCN.³ The Commission will not now expend the time or resources to explore whether the explanation tendered by Artesian does, or does not, "excuse" non-compliance with the statutory command. Rather, the

²As described below, the parcels included in the service territory under Exhibit "A" do not match precisely all the properties listed in Artesian's original application to this Commission. Some parcels or lots, and, in particular, those located in the Seatowne development, are no longer included in the service territory. Conversely, additional parcels (not included in the original application) have now been added to the service area.

³See Letter of D. Spacht (Artesian) to B. Burcat, Exec. Dir., at Resp. to PSC-2 at pp. 1-4 (Jan. 3, 2003) ("Spacht 1").

Commission acts here because the "public interest" would not now be served by attempting to undo what has been operating on the ground for now almost three years. Any decision to now refuse the requested CPCN - or even withhold it pending the submission of further paperwork - would not only create unneeded confusion and uncertainty, but further continue the schism between the legal regime and the actual facts. Given the absence of any indication of objections from "customers" in this area, the Commission will simply legally acknowledge (via this CPCN) the fact that Artesian is now, and has been, providing water services in the area.

II. THE INITIAL APPLICATION TO DNREC

5. Artesian filed its original application for a CPCN to serve various parcels lying north of Fenwick Island with DNREC in January 2000. To justify such Certificate, Artesian submitted "Water Service Agreements" executed in 1999 by eight condominium associations⁴ and the State of Delaware,⁵ as well as numerous "Petitions for Water Service" (also apparently dated in 1999) signed by various individual parcel owners, most (if not all) owning properties in the Seatowne and Fenwick Acres developments.

6. However before DNREC acted on the application, the General Assembly and Governor made changes to the statutes governing the grant of CPCNs to water utilities. The amendments, in part, required a water

⁴The condominiums were identified as "The Narrows," "Fenwick Island Properties," ("Waters Edge"), "King's Grant," "Queen's Quest," "Seaside Villas," "Sea Dunes," "Fenwick Towers," and "The Shoals."

⁵The agreements executed by the State were to allow Artesian to provide water services to two parcels of parkland owned by the State.

utility to provide notice of its CPCN application to all affected landowners and allowed any such landowner to "opt-out" and remove his or her property from the utility's proposed service territory. 72 Del. Laws. ch. 280, § 1, (April 11, 2000).⁶

7. After these statutory changes, and apparently to fulfill a commitment made to a state legislator, Artesian decided to withdraw its still-pending CPCN application. The intent was to then re-file the application after complying with the recently changed procedures. Artesian notified DNREC that it was withdrawing its original application at the end of August 2000.

8. However, Artesian never re-submitted the CPCN application to DNREC.⁷ Instead, seventeen months after it had withdrawn its earlier application, it submitted, on February 1, 2002, a new CPCN application to this Commission.⁸

9. Yet, during the time that the regulatory proceedings remained in neutral, Artesian was not standing idle. Beginning in 2000, and continuing throughout 2001, Artesian started providing water services to the eight condominiums, the individual parcels, and the

⁶The General Assembly and Governor revisited these amendments in July 2000. These later revisions more specifically defined "landowners" in the context of condominiums governed by the Unit Property Act; described how to provide the required notice to such condominium properties, and provided a form of "opt-out" notice to be supplied to all affected landowners after July 2000. 72 Del. Laws ch. 465 (July 18, 2000).

⁷See Spacht 1 at pp. 2-3.

⁸In July 2000, the General Assembly and the Governor had announced that the authority to grant CPCNs to water utilities would pass to this Commission on July 1, 2001. 72 Del. Laws ch. 402 (July 6, 2002). See 7 Del. C. § 6076 (2001).

State properties which it had proposed as the service territory in its initial application to DNREC.⁹

III. SUBSEQUENT APPLICATION TO THE PSC

A. The Original Application

10. When Artesian re-submitted its CPCN application here on February 1, 2002, it sought authority to serve the same condominiums, State parcels, and lots within the Seatowne and Fenwick Acres developments as it had proposed in its 2000 application to DNREC. Appl., Exh. A. To support its renewed application, now made under the provisions of 26 Del. C. § 203C(e)(1)b. (2002 Supp.), Artesian proffered the same 1999 "Water Service Agreements" and "Petitions for Water Service" it had filed with DNREC two years earlier. To show compliance with the notice requirements imposed by § 203C(e)(1) and this Commission's implementing rules, Artesian also presented documentation that it had sent, by certified mail, notice of its re-application for a CPCN (along with the Commission's form of "opt-out" notice) to the eight condominium associations, the State, the Seatowne

⁹See Spacht 1 at Exh. A; Letter of D. Spacht (Artesian) to B. Burcat, Exec. Dir., at Exh. A (Jan. 24, 2003) ("Spacht 2"). It appears that Artesian provided its facilities, and, indeed, its water services, to numerous parcels in this area even prior to the date (Aug. 30, 2000) it notified DNREC it was withdrawing its CPCN application to expand its services. See Spacht 2 at Exh. A "Bill Date Showing First Consumption". In other instances, Artesian provided water services to other parcels before it re-submitted its CPCN application to this Commission in February 2002. Id.

omeowners' Association,¹⁰ and the individual owners of parcels in the Fenwick Acres development. Appl., Exh. B.¹¹

B. Seatowne Lots

11. As noted earlier in both its application to DNREC in 2000 and in its application here in 2002, Artesian sought to include within the geographic service territory to be granted under the Certificate the separate lots lying within the Seatowne development. See Appl., Exhs. A & C (Feb. 1, 2002). Artesian now provides water supply to the Seatowne development but, apparently, such supply is delivered to the individual, separately-owned parcels, by a distribution system owned and maintained by the Seatowne Homeowners' Association.¹²

12. Artesian told Staff that it does not wish to assume either the ownership or the operation of the present water distribution system in the development. Nor, Artesian said, did it desire - and the homeowners have not sought - to have Artesian construct a new distribution system for the development. In light of this, several questions arose: (a) is the homeowners' association engaged in the business of a "water utility" in its operation of the water distribution system serving the lots in the Seatowne development?¹³ and

¹⁰No notices were sent to the owners of individual lots within Seatowne. Later, in June 2002, Artesian also sent similar notices to the owners of individual units in The Shoals condominium complex.

¹¹In several instances, the notices were sent to landowners who had purchased particular parcels from the earlier owners who had executed the water service petitions in 1999.

¹²Apparently, prior to the time Artesian began providing supply, the distribution system was fed from wells also owned by the homeowners' association.

¹³See PSC Order No. 5966 (June 4, 2003) (contemplated water system to serve development which would be owned and operated by homeowners would

(b) if so, would the grant of a Certificate to Artesian encompassing these Seatowne lots either obligate Artesian to provide distribution services or result in the homeowners' "water utility" impermissibly operating in territory certificated to Artesian?¹⁴

13. To avoid the need to answer these questions, Artesian sought to remake its application regarding its service to the Seatowne development. As reworked, Artesian now seeks a Certificate to allow it to provide (as it is already doing) water supply - in bulk - to the Seatowne's Homeowners' Association distribution system. As such, the service territory under the Certificate would not encompass the individual Seatowne lots. Rather, Artesian would provide such bulk supply at a "master-meter" point that interconnects with the homeowners' association's distribution system. Under such a scheme, the lots within the development would then continue to receive water via the homeowners' distribution system.¹⁵

constitute a "water utility"), aff'd sub nom. The Reserves Development Corp. v. State of Delaware Public Service Commission, 2003 WL 139777 (Del. Super.), aff'd, 830 A.2d 409 (Del. 2003) able).

¹⁴See Public Water Supply Company, Inc. v. DiPasquale, 802 A.2d 929, 939 (Del. Super. 2002) (grant of CPCN to one water utility creates an exclusive franchise barring another "water utility" from providing water services within certificated territory).

¹⁵See Letter of D. Spacht (Artesian) to K. Neilson at p. 1 (Feb. 10, 2004) ("Spacht 3"). Later in this Order, the Commission grants Artesian the authority under this "master-meter" construct to supply water to the Seatowne system. In doing so, the Commission does not decide whether the homeowners' operation of the distribution system constitutes the business of a "water utility." The Seatowne Homeowners' Association is not involved in this certification matter and the answer to the "water utility" question may involve facts, as well as policy determinations, not remotely developed in this record.

C. The "Omitted" Parcels

14. Staff reports that during the course of its review of this application, it learned that Artesian also is currently, and has for several years, provided water utility services to several other parcels of property in this area which were not included in Artesian's original CPCN application here. Indeed, these parcels had not been included in Artesian's prior application to DNREC in 2000.

15. Staff suggested to Artesian that, in order to reflect the reality that Artesian serves these omitted parcels, Artesian should again revise its application to have its proposed service territory also include these "overlooked" parcels. In response to Staff's suggestion, Artesian submitted a revised listing of parcels for its service territory. That listing now includes these other properties but now does not encompass the individual Seatowne lots).¹⁶ At the same time - as might be expected - the present record does not contain any petitions for water service executed on behalf of the owners of any of these previously omitted properties. Nor does the present record contain any documentation reflecting that Artesian provided notices to the owners of such parcels advising them of the pendency of this CPCN application and explaining the owners' right to "opt-out." However, Artesian has reported that it began providing water services to these omitted parcels at various times between August 2000 and

¹⁶See Appl., revised Exh. C (filed Jan. 29, 2004). See also Letter of D. Spacht (Artesian) to K. Neilson (PSC) at p. 1 (Jan. 12, 2004) (requesting inclusion of the omitted properties) ("Spacht 4").

November 2001. Thus, Artesian has been the actual water utility provider to these parcels for at least two years.¹⁷

16. Finally, in this revised listing, Artesian sought to provide its services to "The Curves" community via another "master-meter" arrangement. Apparently, "The Curves," much like Seatowne, utilizes an internal distribution system, owned by the parcel or unit owners, to provide water services to the individual parcels within the development. As in the case of the Seatowne development, Artesian asks for a Certificate authorizing it to supply bulk water services, through a "master-meter" to "The Curves" community system, without including the individual parcels in "The Curves" development within Artesian's actual geographic service territory.¹⁸

IV. OPINION AND DETERMINATIONS

17. Since July 2001, this Commission has held the authority to award a CPCN to a water utility to allow it to expand and extend its water utility operations. 26 Del. C. § 203C (2002 and 2003 Supps.). Generally, the award of such Certificate is authorized (indeed, almost mandated) if the applicant water utility presents written documentation that the landowners (or developer) in the proposed service territory have chosen to be served by that particular utility. 26 Del. C. § 203C(e)(1)a. (2002 Supp.) (CPCN based upon petitions

¹⁷See Spacht 2 at Exh. A, pg. 2 (listing of parcels "Not in Original CPCN") with beginning dates of actual service.

¹⁸Appl., Revised Exh. A at pg. 2 (filed Jan. 29, 2004) ("The Curves Community System" and n. **). See also Spacht 4 at pg. 1 (referencing "master-meter" application for "The Curves"). Again, the Commission does not make any determination here whether "The Curves'" internal system constitutes the operation of a "water utility."

signed by a majority of the affected landowners). Cf. 26 Del. C. §§ 203C(e)(1)c. (2002 Supp.) (CPCN premised on request by applicable government body).

A. The Eight Condominiums, the State Parcels, and the Lots in Fenwick Acres

18. For the eight condominium properties included in the original application,¹⁹ the State lands, and the individual lots in the Fenwick Acres development, Artesian has submitted documents which substantially meet the requirements of section 203C(e)(1)b. In 1999, the governing body or an agent or officer of each of the eight condominium associations executed "Water Service Agreements" with Artesian. Appl., Exh. A.²⁰ Similarly, a majority - indeed almost all - of the landowners in the Fenwick Acres development executed water service petitions in 1999 asking Artesian to provide water services. Appl., Exh. A. So too, the State also executed a water service agreement in 1999 for Artesian to provide water services to two State-owned park parcels. Appl., Exh. A. In addition, in December 2001, Artesian sent notices to each of these Fenwick Acres' owners, the eight condominium associations, and the State. Those notices announced Artesian's intent to seek a CPCN and explained the

¹⁹Artesian represents that each of these eight condominium properties operates under the Delaware Unit Property Act, 25 Del. C. ch. 22. See 26 Del. C. § 203C(j) (2002 Supp.).

²⁰In some cases, agents of the officers or governing boards of the condominium associations actually executed the "Water Service Agreement" with Artesian. Under § 203C(j), the landowner in the context of a condominium is specifically defined as the governing body or an authorized officer. See n. 21 below. However, given that in 1999 and 2000, no statutory provision comparable to present § 203C(j) existed, and in light of the fact that Artesian has been providing water to these properties since 2000, the Commission finds that such execution by an agent is not fatal to including these condominium properties in the service territory.

landowners' "opt-out" option. Appl., Exh. B.²¹ The record does not contain any responses to these notices. For these parcels, the Commission finds significant, substantial compliance with § 203C(e)(1)b.

B. The "Omitted Parcels"

19. As noted earlier, at Staff's suggestion, in January, 2004, Artesian added several parcels to its proposed service territory which had not been included in either its application to DNREC nor its January 2002 submission here. Artesian has been providing water services in all these "omitted" areas since at least 2001. However, the present record in this matter does not include copies of petitions for water services linked to these parcels nor does it include

²¹Under § 203C(j), in the case of condominiums subject to the Unit Property Act, the "landowner of the proposed territory" is defined to mean the governing body or authorized officers of the condominium association with authority to act on behalf of the unit owners, unless the underlying property has been leased to lot owners with the underlying real property owner retaining the power to bind the unit owners. At the same time, § 203C(g)(1) indicates that for purposes of providing the notice to landowners that is required under § 203C(e)(1), the water utility may, in the context of a Unit Property Act parcel, demonstrate compliance by submitting a certification from an officer that the officer is authorized to sign the petition for water service and that all unit owners have been provided notice of the application. With such certification, the utility must supply a copy of the notice that was sent to the unit owners. It is not immediately apparent how § 203C(g)(1) dovetails with, or supplements, the definition of landowner set forth in § 203C(j). Here, Artesian has submitted materials indicating that each condominium association discussed petitioning Artesian to provide water utility services at association meetings held in 1999 or 2000 and that, in some instances, individual unit owners were either polled on such item or provided oral or written notices that such topic would be on the meeting's agenda. Again, the Commission will not here attempt to delve into the intricacies of the requirements of § 203C(g)(1), which did not exist in 1999 and early 2000. The basic operative facts are that the condominium associations executed water service agreements and their units have been receiving Artesian water services (without objection) for more than two years.

documentation reflecting that the required formal notices were sent to the landowners of record of these parcels.

20. As such, the present record does not contain the written documentation usually submitted and utilized to support inclusion of a parcel within a service territory under § 203C(e)(1)b. However, the Commission cannot overlook that Artesian apparently built facilities to serve these parcels, and has actually provided water services to these parcels over such in-ground facilities for more than two years. In the exercise of something akin to equity, the Commission will deem such prolonged service to these parcels - apparently without objection from the "customers" - as both the necessary "petitions for service" and the required "notices" called for by § 203C(e)(1)b. Of course, the Commission could direct Artesian to now produce (and maybe now procure) written petitions and agreements from these landowners and then provide notices of the "opt-out" option to all the affected landowners. But to do so, the Commission believes, would only invite confusion among the landowners and further delay this already protracted matter. In this context, such confusion and further delay would not be in the public interest.²² Thus, the Commission will include these parcels with the service territory. At the same time, given the unique circumstances of this matter (including Artesian's decision to press ahead without first obtaining a CPCN) the Commission

²²No reasonable person would suggest that the Commission direct Artesian to suspend its water services to these parcels until it files the missing documentation and sends the formal notices. Such course would leave the parcel owners potentially without any water service. Similarly, it is difficult to understand what value a landowner might see in the "opt-out" option if "opting-out" means that the parcel would end up losing the water service it has utilized for over two years.

will remain available if any of the landowners of these parcels might come forward and object to being included in Artesian's service territory. In such situation, the Commission will decide each such request on the circumstances particular to that parcel.

C. The "Master-Meter" Certificates

21. As set out above, Artesian originally sought to include each of the individual lots in the Seatowne development in its service territory. However, questions then arose whether Artesian would then become responsible for the distribution system now owned and operated by the homeowners' association and, if not, whether the existing distribution system would then constitute a "water utility" operating in a service territory granted to Artesian. To avoid those questions, Artesian reworked its application to simply request permission to provide bulk water, at a "master-meter," to the existing Seatowne distribution system. Similarly, in the context of "The Curves" community, Artesian now seeks only authority to provide bulk supply at a "master-meter" interconnection to "The Curves" internal community distribution system. In both situations, the individual parcels in each community would not be included in the service territory granted by this CPCN.

22. The Commission authorizes these two "master-meter" requests. Such type of limited Certificate is not unknown. See PSC Order No. 6180 (June 3, 2003) (amending earlier limited "master-meter" Certificate to now include with service territory parcels previously supplied by in-house system). Moreover, such type of authorization is particularly appropriate in these two instances where uncertainty

exists about whether those existing homeowner-owned and maintained systems are to be deemed "public utilities" and "water utilities" under 26 Del. C. § 102(2) & (8) (2002 Supp.). Consequently, the individual parcels in the "Seatowne" and "The Curves" developments are not included in the service territory authorized by this CPCN. Artesian is authorized to provide water supply to the existing distribution systems serving those communities measured by "master-meters."

D. Other Requirements

23. Above, the Commission has explained why, in these circumstances, it would find compliance with § 203C(e)(1)b. for the amended service territory which has eventually merged in this docket.²³ On the present record, the Commission cannot find any reason that would otherwise disqualify granting the certificate for this restated service territory. Artesian has submitted a statement that it will continue to meet water pressure requirements to its present customers even with this expansion. Appl., ¶ 8 (a) - (b). In fact, Artesian has provided water services to all these parcels for more than two years, apparently without complaints about water pressure difficulties from either its other customers or the subscribers in this area. Second, Artesian represents that it is not subject to any order relating to the quality or adequacy of its service to other customers, emanating either from this Commission or some other agency, that might

²³In the particular circumstances of this matter, the Commission will also find that no property owner has "opted-out" and that a majority of the owners in the area do not object to this Certificate.

require the Commission to withhold a Certificate. Appl., ¶ 8 (c) - (d). See 26 Del. C. § 203C(e)(3), (f) (2002 Supp.).²⁴ Nor is there any evidence in this record which would compel the Commission to now undertake such an investigation into service quality matters in this proceeding.

V. CONCLUSION

24. Disjointed might be an appropriate word to describe not only this Order but the course of Artesian's efforts to obtain a CPCN to serve the parcels lying along Route 1 in southeastern Sussex County. Early on, before DNREC, Artesian's quest was apparently plagued by changes in the governing law. But these earlier travails were then exacerbated by Artesian's decision to begin providing water services without first obtaining the required CPCN. Not only did that choice apparently lift any pressure for Artesian to promptly move forward in the regulatory process (as reflected in the seventeen month long gap between the dismissal at DNREC and the re-application here) but pre-ordained that this Commission, in considering the re-application, would struggle to apply 2001 statutory standards to petitions and agreements signed in 1999. And this Commission must now perform that problematic task against a backdrop that Artesian has been providing water services in the "proposed" service territory for more than two years. And on top of all that, after filing here, Artesian confirmed that it has been serving additional properties in the area, properties which it had failed to include in either the

²⁴The record contains correspondence (from March 2002) from both the Office of the State Fire Marshal and the Division of Public Health. Both agencies voiced no objections to Artesian's 2002 application.

application filed with DNREC in 2000 or the application made here in February 2002. But it has been, and the reality is that it would not be in the public interest to now undo what has been going on for over two years. Artesian has presented documentation (albeit some years old) to support a CPCN for many of these parcels. Moreover, in the case of the "omitted" properties, the landowners' actions in taking water service for over two years must substitute for written documentation. In this particular case, the Commission therefore grants Artesian a Certificate to serve the properties in the proposed service territory that has finally emerged in the twisted course of this (and its predecessor) proceeding. That service territory is defined in Exhibit "A".

Now, therefore, **IT IS ORDERED:**

1. That, pursuant to 26 Del. C. § 203C(e) (2002 Supp.), the application for a Certificate of Public Convenience and Necessity, as filed in PSC Docket No. 02-CPCN-03, is hereby approved to the extent it is consistent with this Order, and a CPCN is granted to Artesian Water Company, Inc., to serve the area identified by the tax parcel numbers set forth in Exhibit "A" to this Order.

2. That Artesian Water Company, Inc., shall comply with any and all federal, state, county, and local statutes, ordinances, orders, regulations, rules, and permit conditions that are applicable, or may become applicable, to any matter involving water utility service provided to the service territory granted by this Certificate of Public Convenience and Necessity.

3. That the Commission reserves the jurisdiction and authority to enter such further Orders in this matter as may be deemed necessary or proper.

BY ORDER OF THE COMMISSION:

/s/ Arnetta McRae
Chair

/s/ Joshua M. Twilley
Vice Chair

/s/ Joann T. Conaway
Commissioner

/s/ Donald J. Puglisi
Commissioner

/s/ Jaymes B. Lester
Commissioner

ATTEST:

/s/ Karen J. Nickerson
Secretary

E X H I B I T "A"

APPROVED SERVICE AREA
PARCELS WITHIN CERTIFICATE OF
PUBLIC CONVENIENCE AND NECESSITY

SUSSEX COUNTY, DELAWARE

SUSSEX COUNTY TAX MAP PARCELS NOS.

1-34-00-20.00-9.00
1-34-00-22.00-2.00
1-34-00-22.00-5.00
1-34-00-22.00-5.01
1-34-00-22.00-07.00
1-34-00-22.00-11.00
1-34-00-22.00-12.00
1-34-00-22.00-13.00
1-34-00-22.00-14.00
1-34-00-22.00-20.00
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1-34-00-22.00-27.00
1-34-00-22.00-28.00
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1-34-00-22.00-30.00

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1-34-00-22.00-35.00
1-34-00-22.00-36.00
1-34-00-22.00-37.00
1-34-00-22.00-38.00
1-34-00-22.00-39.00
1-34-00-22.00-18.00
1-34-00-22.00-19.01
1-34-00-20.00-12.00
1-34-00-22.00-85.00
1-34-00-22.00-01.00
1-34-00-22.00-01.01
1-34-00-22.00-01.02
1-34-00-22.00-17.00

*Seatowne Community System

*The Curves Community System

*To be served via a "master-meter" at the property line.