

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF DELAWARE

IN THE MATTER OF THE APPLICATION OF)
TIDEWATER UTILITIES, INC., FOR A)
CERTIFICATE OF PUBLIC CONVENIENCE AND)
NECESSITY TO PROVIDE WATER SERVICES TO) PSC DOCKET NO. 07-CPCN-37
ONE PARCEL OF LAND LOCATED ON WARREN) ("HUMMINGBIRD")
FARM ROAD, EAST OF ELLENDALE, SUSSEX)
COUNTY, DELAWARE)
(FILED JULY 5, 2007)

ORDER NO. 7312

AND NOW, to-wit, this 6th day of November, 2007;

WHEREAS, in PSC Order No. 7280 (Sept. 18, 2007) this Commission vacated PSC Order No. 7272 (Sept. 4, 2007) in which it had awarded Tidewater Utilities, Inc. ("Tidewater"), a Certificate of Public Convenience and Necessity ("CPCN") to provide its public utility water services to a parcel of property labeled the "Hummingbird" property located on Warren Farm Road in Sussex County; and

WHEREAS, in PSC Order No. 7280, the Commission directed Tidewater to file, within fifteen days of the date of the Order, a written statement of its views concerning the status of its CPCN application in light of the Hummingbird property owner's earlier request that the Commission withhold action on the application; and

WHEREAS, by letter dated October 11, 2007, Tidewater indicated that the Hummingbird property owner is not yet prepared to commit to a specific company for water service; now, therefore,

IT IS ORDERED:

1. That, for the reasons set forth above, the Commission dismisses, without prejudice, the July 5, 2007 application of Tidewater Utilities, Inc. seeking a Certificate of Public Convenience and Necessity to provide public utility water services to Sussex County Tax Map Parcel No. 230-27.00-50.01, otherwise known as the "Hummingbird" property.

2. 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/ Joann T. Conaway
Commissioner

/s/ Jaymes B. Lester
Commissioner

/s/ Dallas Winslow
Commissioner

/s/ Jeffrey J. Clark
Commissioner

ATTEST:

/s/ Karen J. Nickerson
Secretary