

**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 AND ) PSC DOCKET NO. 07-CPCN-51  
NECESSITY TO PROVIDE WATER SERVICES ) ("KENT COUNTY")  
PURSUANT TO 26 Del. C. § 203C )  
(FILED OCTOBER 29, 2007)

**ORDER NO. 7352**

**GRANTING CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY  
TO PROVIDE PUBLIC WATER UTILITY SERVICES**

This 22<sup>nd</sup> day of January, 2008, the Commission finds, determines, and Orders the following:

1. On October 29, 2007, Artesian Water Company, Inc. ("Artesian" or "Applicant") filed an application ("Application") with the Commission seeking a Certificate of Public Convenience and Necessity ("CPCN") to expand its facilities and operations in order to provide water services to forty-three parcels of land distributed between Clayton, Magnolia, and Harrington, Kent County, Delaware ("Proposed Service Area"). The basis for the Application is Artesian's possession of petitions requesting water services signed by all of the owners of the parcels of land comprising the Proposed Service Area in accordance with 26 Del. C. § 203C(e)(1)b. With its Application, Artesian filed evidence that it had mailed to all landowners in the Proposed Service Area notice of its application and the options available to affected landowners. In addition, on Staff's direction, Artesian published notice of its Application in two newspapers of general circulation. The Commission received no

comments regarding the Applicant or this Application as a result of either form of notice.

2. The Commission Staff has completed its review and investigation of the Application and the Applicant. In a January 15, 2008 Memorandum to the Commission, Staff reports that one parcel of land in the Proposed Service Area is already in Artesian's approved service territory, and that Artesian has satisfactorily corrected a few minor discrepancies found by Staff in its Application. Staff further notes that Artesian's Application, as corrected, complies with the provisions of 26 Del. C. § 203C and the Commission's *Regulations Governing Water Utilities Including the Public Service Commission's Jurisdiction to Grant and Revoke Certificates of Public Convenience and Necessity*, and recommends approval of the Application.

3. For these reasons, the Commission finds that Artesian has met all requirements for the granting of a CPCN and, therefore, the Commission shall approve the Application as filed in PSC Docket No. 07-CPCN-51 on October 29, 2007, excluding the one parcel of land which is already in Artesian's approved service territory.

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

1. That, pursuant to 26 Del. C. § 203C(e), to the extent it is consistent with this Order, a Certificate of Public Convenience and Necessity is granted to Artesian Water Company, Inc., to serve the area more specifically identified by the following Kent County Tax Map Parcels Numbers:

KH00-017.00-02-29.03	MN00-193.00-01-07.10
KH00-018.00-01-07.18	MN00-193.00-01-07.11
KH00-018.00-01-30.00	MN00-193.00-01-11.01
KH00-018.00-01-32.00	MN00-193.00-01-56.00
KH00-027.00-01-04.01	MN00-194.00-01-16.04
KH00-027.00-01-22.00	MN00-194.00-01-43.06
KH00-027.00-01-23.00	MN00-194.00-01-43.07
KH00-027.00-01-26.05	MN00-199.00-01-09.02
KH00-027.00-01-31.04	SM00-121.00-01-72.00
KH00-027.00-01-31.11	SM00-121.00-01-74.04
KH00-027.00-01-31.18	SM00-121.00-01-74.05
KH00-036.00-01-21.00	SM00-122.00-01-02.04
KH00-036.00-01-26.04	SM00-122.00-01-04.10
KH00-036.00-01-28.00	SM00-122.00-01-04.11
KH00-036.00-01-33.00	SM00-122.00-01-39.00
KH00-036.00-01-34.00	SM00-122.00-01-44.00
MD00-189.00-01-17.00	SM00-122.00-01-47.00
MD00-189.00-01-17.22	SM00-122.00-02-16.07
MD00-189.00-01-17.23	SM00-122.00-02-27.01
MN00-193.00-01-06.02	SM00-122.02-01-16.00
MN00-193.00-01-07.00	SM00-122.02-01-17.00

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 services 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/ Jaymes B. Lester  
Commissioner

\_\_\_\_\_  
Commissioner

/s/ Jeffrey J. Clark  
Commissioner

/s/ Dallas Winslow  
Commissioner

ATTEST:

/s/ Karen J. Nickerson  
Secretary