

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

IN THE MATTER OF THE COMMISSION'S)	
INVESTIGATION ON ITS OWN MOTION,)	
WHETHER BASS PROPERTIES, INC. UNLAW-)	
FULLY ABANDONED AND/OR DISCONTINUED)	PSC COMPLAINT DOCKET
ANY WASTEWATER BUSINESS, OPERATIONS,)	NO. 357-09
OR SERVICES PROVIDED UNDER A CERTIFI-)	
CATE OF PUBLIC CONVENIENCE AND)	
NECESSITY ISSUED BY THE COMMISSION)	
ON APRIL 26, 2005 IN PSC DOCKET NO.)	
05-WW-003, ORDER NO. 6608)	
(OPENED JANUARY 6, 2009))	

ORDER NO. 7506

**RULE TO SHOW CAUSE TO
BASS PROPERTIES, INC.**

This 6th day of January, 2009, the Commission determines and orders the following:

WHEREAS, on April 26, 2005, the Commission issued a Certificate of Public Convenience and Necessity (the "CPCN") to Bass Properties, Inc. ("Bass Properties") to continue to provide wastewater services to the Lea Eara Farms development, located in New Castle County, Delaware, pursuant to the provisions of 26 Del. C. § 203D(a)(2), PSC Docket No. 05-WW-003, Order No. 6608; and

WHEREAS, the Commission has information sufficient to form a belief that Bass Properties has abandoned and/or discontinued the wastewater business, operations, and services provided to the Lea Eara Farms development; and

WHEREAS, the Commission opens this proceeding to investigate and determine the following question:

Whether Bass Properties, Inc. abandoned or discontinued any wastewater business, operations, or services provided to the Lea Eara Farms development without approval of the Commission in violation of 26 Del. C. § 203A(c)?

and;

WHEREAS, the Commission has the authority to institute this investigation under the CPCN and the provisions of Title 26, Subchapters I and II, including, but not limited to, §§ 201, 203A, 203D, 206, 208, 212, 214, 217, and 218; and

WHEREAS, the Commission begins this investigation by issuing this Rule to Show Cause directing Bass Properties to file an Answer to the question raised above; and

WHEREAS, Bass Properties is a public wastewater utility subject to the regulatory authority of this Commission; now, therefore,

IT IS SO ORDERED:

1. That, for the reasons set forth in this Order, the Commission initiates this proceeding and docket to determine:

Whether Bass Properties, Inc. abandoned or discontinued any wastewater business, operations, or services provided to the Lea Eara Farms development without approval of the Commission in violation of 26 Del. C. § 203A(c)?

2. That the Secretary shall serve a copy of this Order on Bass Properties, Inc., by certified U.S. mail. Within twenty (20) days from receipt of service of this Order, Bass Properties, Inc. shall file an original and ten copies of its Answer to the question posed by this Rule to Show Cause. Bass Properties, Inc. shall also serve a copy of such Answer on the Division of the Public Advocate by that same date, at the following address:

G. Arthur Padmore, Public Advocate
Division of the Public Advocate
820 N. French Street, 4th Floor
Wilmington, Delaware 19801

In its Answer, Bass Properties, Inc. shall set forth all facts and arguments to support any contention that it did not abandon and/or discontinue the wastewater business, operations, or services being provided pursuant to the Certificate of Public Convenience and Necessity issued in Commission Order No. 6608, in violation of 26 Del. C. § 203A(c).

3. That, after receipt of Bass Properties, Inc.'s Answer, the Commission will determine the course of further proceedings. In this matter, Bass Properties, Inc. has the right to be represented by counsel or to appear by other representative permitted under the Commission's Rules of Practice and Procedure. If the Commission later directs further fact-finding or a hearing, Bass Properties, Inc. shall be entitled to notice of such hearing and the right to present evidence. The Commission's final decision will be based upon the evidence included in the record in this matter. Finally, if permitted by law, the parties have the opportunity to elect to proceed by informal fact-finding, the Commission may set a date by which such election shall be made.

4. That Francis J. Murphy, Esquire, is appointed Rate Counsel for this matter.

5. That the Secretary shall also deliver a copy of this Order to the Division of the Public Advocate.

6. That Bass Properties, Inc. is hereby notified that it will be assessed the costs of this proceeding under 26 Del. C. § 114.

7. 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