

PSC Order No. 7622 (Con't)

2. The Proposed Service Area in this matter is located in the water service territory of Tidewater Utilities, Inc. ("Tidewater") which was granted by Order No. 6989 in PSC Docket No. 06-CPCN-29 (July 25, 2006). On July 7, 2009, Tidewater filed a written request with the Commission seeking to abandon its CPCN for the specific area in Artesian's application.

3. The Commission Staff has completed its review and investigation of the Application and the Applicant. In a July 30, 2009 Memorandum to the Commission, Staff reports that Artesian's Application meets all requirements for the granting of a CPCN under 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.

4. 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. 08-CPCN-38 on December 18, 2008.

NOW, THEREFORE, IT IS HEREBY ORDERED BY THE AFFIRMATIVE VOTE OF NOT FEWER THAN THREE COMMISSIONERS:

1. That, pursuant to 26 Del. C. § 203A(c)(3), to the extent it is consistent with this Order, the request for abandonment filed by Tidewater Utilities, Inc. on July 7, 2009 is hereby granted, and the parcels of land identified by Sussex County Tax Map Parcel No. 234-5.00-30.00 and 234-5.00-33.00 be hereby removed from the service

territory granted to Tidewater Utilities, Inc. by Order No. 6989 in PSC Docket No. 06-CPCN-29 on July 25, 2006.

2. That, pursuant to 26 *Del. C.* § 203C(e), a Certificate of Public Convenience and Necessity is granted to Artesian Water Company, Inc., to serve the area more specifically identified by Sussex County Tax Map Parcel Numbers 234-5.00-30.00 and 234-5.00-33.00.

3. 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.

4. 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

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/s/ Dallas Winslow
Commissioner

/s/ Jeffrey J. Clark
Commissioner

ATTEST:

/s/ Katie Rochester
Acting Secretary