

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

IN THE MATTER OF THE APPLICATION OF)
ARTESIAN WATER COMPANY, INC. FOR A)
FOR A CERTIFICATE OF PUBLIC CONVEN-) PSC DOCKET NO. 08-CPCN-23
IENCE AND NECESSITY TO PROVIDE WATER) ("CENTRAL KENT COUNTY")
SERVICES PURSUANT TO 26 *DEL. C.*)
§ 203C (FILED AUGUST 29, 2008 AND)
AMENDED JULY 1, 2009, AUGUST 26, 2009,))
AND SEPTEMBER 8, 2009))

ORDER NO. 7647

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

This 22nd day of September, 2009, the Commission finds, determines, and Orders the following:

1. On August 29, 2008, 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 157 parcels of land distributed in southeast of Camden to south of Farmington, Kent County, Delaware ("Proposed Service Area"). The basis for the Application is Artesian's possession of petitions requesting water services signed by all 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 of the landowners in the Proposed Service Area notice of its application and the options available to the affected landowners. In addition, on Staff's

direction, Artesian published notice of its Application in two newspapers of general circulation.

2. On July 1, 2009, Artesian amended its Application to remove eleven parcels of land from the Proposed Service Area (Kent County Tax Map Parcel Numbers SM00-130.00-01-69.00, SM00-130.00-01-47.00, SM00-130.00-01-48.00, SM00-130.00-01-49.00, SM00-130.00-01-50.00, SM00-121.00-01-44.05, SM00-121.00-01-28.00, SM00-112.00-01-16.00, NM00-103.00-02-39.00, MN00-194.00-01-22.06, and MD00-161.03-01-04.00). The Application was amended again on August 26, 2009, removing one parcel of land from the Proposed Service Area (Kent County Parcel Number MD00-172.00-01-66.00) and on September 8, 2009, removing one parcel of land from the Proposed Service Area (Kent County Parcel Number SM00-130.00-01-68.00). There are now 144 parcels of land in the Proposed Service Area.

3. The Commission Staff has completed its review and investigation of the Application and the Applicant. In a September 10, 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, 08-CPCN-24 as filed on August 29, 2008 and amended on July 1, 2009, August 26, 2009 and September 8, 2009.

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

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 Kent County Tax Map Parcel Numbers shown in Exhibit "A" of 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 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/ Joann T. Conaway
Commissioner

/s/ Jaymes B. Lester
Commissioner

/s/ Jeffrey J. Clark
Commissioner

PSC Docket No. 08-CPCN-23, Order No. 7647 Con't

 /s/ Dallas Winslow
Commissioner

ATTEST:

 /s/ Katie Rochester
Acting Secretary

E X H I B I T "A"

APPROVED SERVICE AREA
PARCELS WITHIN CERTIFICATE OF
PUBLIC CONVENIENCE AND NECESSITY

ARTESIAN WATER COMPANY, INC.
PSC DOCKET NO. 08-CPCN-23

KENT COUNTY TAX MAP PARCEL NUMBERS

| | | |
|----------------------|----------------------|----------------------|
| MD00-161.00-01-06.14 | MD00-172.00-02-09.00 | MN00-181.00-01-21.01 |
| MD00-161.00-01-47.00 | MD00-173.00-01-09.00 | MN00-181.00-01-21.02 |
| MD00-161.00-02-04.00 | MD00-173.00-01-20.00 | MN00-188.00-01-09.05 |
| MD00-161.01-01-04.00 | MD00-174.00-01-02.02 | MN00-188.00-01-09.06 |
| MD00-161.01-02-03.00 | MD00-181.00-01-56.00 | MN00-188.00-01-09.17 |
| MD00-161.03-01-02.00 | MD00-181.04-01-02.00 | MN00-188.00-01-16.00 |
| MD00-161.03-01-08.00 | MD00-189.00-01-17.06 | MN00-188.00-01-24.00 |
| MD00-161.03-01-11.00 | MD00-189.00-01-33.00 | MN00-188.00-01-25.00 |
| MD00-162.00-01-30.01 | MD00-189.00-01-38.00 | MN00-188.00-01-28.01 |
| MD00-162.00-01-60.00 | MD00-195.00-01-01.06 | MN00-188.00-01-49.02 |
| MD00-163.00-01-58.01 | MD00-195.00-01-01.09 | MN00-187.00-01-05.02 |
| MD00-163.14-01-36.00 | MN00-180.00-03-05.08 | MN00-189.00-01-20.00 |
| MD00-163.14-01-37.00 | MN00-180.00-03-22.00 | MN00-189.00-01-26.00 |
| MD00-172.00-01-03.04 | MN00-180.00-03-26.02 | MN00-193.00-01-12.07 |
| MD00-172.00-01-07.00 | MN00-180.00-03-27.03 | MN00-193.00-02-37.00 |
| MD00-172.00-01-09.00 | MN00-180.00-03-56.00 | MN00-193.00-02-47.00 |
| MD00-172.00-01-28.00 | MN00-181.00-01.06.00 | MN00-194.00-01-12.06 |
| MD00-172.00-01-34.05 | MN00-181.00-01-15.00 | MN00-194.00-01-35.02 |

| | | |
|----------------------|-----------------------|----------------------|
| MN00-194.00-01-42.01 | NM00-104.00-001-54.00 | SM00-113.00-01-56.10 |
| MN00-194.00-01-43.03 | NM00-104.00-01-65.05 | SM00-113.00-02-07.01 |
| MN00-194.00-02-18.00 | NM00-104.00-01-66.06 | SM00-113.00-02-18.00 |
| MN00-194.00-02-21.00 | NM00-104.00-02-59.00 | SM00-113.00-02-22.05 |
| MN00-194.00-02-26.00 | NM00-104.00-02-75.02 | SM00-113.00-02-22.11 |
| NM00-095.11-01-26.00 | NM00-104.00-02-75.03 | SM00-121.00-01-10.13 |
| NM00-095.20-01-17.00 | NM00-104.04-01-47.00 | SM00-121.00-01-10.14 |
| NM00-095.20-01-21.00 | NM00-104.04-01-48.00 | SM00-121.00-01-10.19 |
| NM00-095.20-02-05.00 | NM00-105.00-01-09.00 | SM00-121.00-01-10.25 |
| NM00-095.20-02-22.00 | NM00-112.00-01-01.10 | SM00-121.00-01-10.28 |
| NM00-095.20-02-26.00 | NM00-112.00-01-01.15 | SM00-121.00-01-10.29 |
| NM00-095.20-02-37.00 | NM00-112.00-01-01.18 | SM00-121.00-01-24.02 |
| NM00-095.20-02-41.00 | NM00-112.00-01-01.40 | SM00-121.00-01-24.12 |
| NM00-095.20-02-42.00 | NM00-112.00-01-01.42 | SM00-121.00-01-28.03 |
| NM00-095.20-02-49.00 | NM00-112.00-01-02.00 | SM00-121.00-01-44.02 |
| NM00-095.20-02-51.00 | NM00-112.00-01-12.00 | SM00-121.00-02-34.00 |
| NM00-095.20-02-52.00 | SM00-105.00-01-03.16 | SM00-121.00-02-45.00 |
| NM00-095.20-02-54.00 | SM00-105.00-01-13.00 | SM00-121.00-02-64.00 |
| NM00-104.00-01-08.00 | SM00-105.00-01-15.00 | SM00-122.00-01-02.02 |
| NM00-104.00-01-08.01 | SM00-112.00-01-06.16 | SM00-122.00-01-43.04 |
| NM00-104.00-01-24.00 | SM00-112.00-01-07.08 | SM00-122.00-01-44.00 |
| NM00-104.00-01-42.01 | SM00-112.00-01-13.07 | SM00-122.00-02-32.00 |
| NM00-104.00-01-42.02 | SM00-112.00-01-41.00 | SM00-122.02-01-14.00 |
| NM00-104.00-01-42.03 | SM00-112.00-01-43.02 | SM00-130.00-01-18.00 |
| NM00-104.00-01-42.06 | SM00-113.00-01-41.00 | SM00-130.00-01-25.00 |
| NM00-104.00-01-48.00 | SM00-113.00-01-52.00 | SM00-130.00-01-35.00 |

SM00-130.00-01-51.00

SM00-130.00-01-54.00

SM00-130.00-01-56.09

SM00-130.00-01-56.10

SM00-130.00-02-03.06

SM00-130.00-02-07.00

SM00-130.00-02-08.00

SM00-130.00-02-09.00

SM00-130.00-02-10.00

SM00-130.00-02-39.00

SM00-130.00-02-43.00

SM00-130.00-02-45.01