

**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. 09-CPCN-34
IENCE AND NECESSITY TO PROVIDE WATER)	("NEW CASTLE 0709 PART 2")
SERVICES PURSUANT TO 26 <i>DEL. C.</i>)	
§ 203C(FILED SEPTEMBER 8, 2009 AND)	
AMENDED DECEMBER 4, 2009))	

ORDER NO. 7702

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

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

1. On September 8, 2009, 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 fifty-two parcels of land distributed south of Middletown to south of Townsend, New Castle 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. No comments regarding the Applicant or this Application have been received.

2. On December 4, 2009, Artesian amended its Application to remove one parcel of land from the Proposed Service Area (New Castle County Tax Map Parcel Number 14-016.00-243). There are now fifty-one 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 December 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, the Commission shall approve the Application in PSC Docket No. 09-CPCN-34 as filed on September 8, 2009 and amended December 4, 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 on "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/ Dallas Winslow
Commissioner

/s/ Jeffrey J. Clark
Commissioner

ATTEST:

/s/ Alisa Carrow Bentley
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. 09-CPCN-34

NEW CASTLE COUNTY TAX MAP PARCEL NUMBERS

14-003.00-033	14-012.00-008	14-016.00-112
14-003.00-037	14-012.00-015	14-016.00-141
14-003.30-012	14-012.00-019	14-016.00-169
14-003.30-045	14-012.00-035	14-016.00-267
14-003.30-046	14-012.00-049	14-016.00-296
14-003.30-053	14-012.00-116	14-016.01-039
14-006.43-013	14-012.21-029	14-016.01-042
14-006.43-018	14-013.00-025	14-017.00-041
14-007.00-061	14-015.00-051	14-019.00-134
14-007.00-081	14-015.00-073	14-019.00-143
14-007.00-089	14-015.00-080	14-020.00-094
14-007.00-106	14-015.00-103	
14-007.00-107	14-015.00-129	
14-007.00-117	14-015.00-169	
14-007.00-127	14-015.00-190	
14-008.00-035	14-015.00-235	
14-010.00-014	14-016.00-044	
14-011-00-051	14-016.00-062	
14-011.00-083	14-016.00-076	
14-011.00-086	14-016.00-108	