

**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. 15-1323
NECESSITY TO PROVIDE WATER SERVICES)
PURSUANT TO 26 DEL. C. §203C "ODESSA)
PROPERTY")
(FILED AUGUST 21, 2015))

ORDER NO. 8801

AND NOW, this 6th day of October, 2015, the Delaware Public Service Commission ("Commission") determines and orders the following:

WHEREAS, on August 21, 2015, Artesian Water Company, Inc. ("Artesian") filed an application ("Application"), pursuant to 26 Del. C. §203C(e)(1)b.2, which seeks from the Commission a Certificate of Public Convenience and Necessity ("CPCN") to expand its facilities and operations to provide water services to one parcel of land in New Castle County, Delaware, more specifically identified at Tax Map Parcel Number 24-003.00.020 and referred to as the "Odessa Property" (the "Proposed Service Area"); and

WHEREAS, the Commission Staff ("Staff") reviewed the Application to ensure compliance with the statutory provisions of 26 Del. C. §203C and the Commission's Regulations Governing Certificates of Public Convenience and Necessity for Water Utilities, 26 Del. Admin. C. §2002 (the "Regulations"); and

WHEREAS, upon initial examination of the Application, Staff found that the cover letter of the Application erroneously referred to three parcels in Sussex County, Delaware, but the Application actually covered only one parcel of land located in New Castle County, Delaware. After Staff notified Artesian of this error, Artesian immediately submitted a corrected cover sheet for the Application; and

WHEREAS, Staff notes that the Application included evidence that Artesian had mailed to the only landowner of record in the Proposed Service Area a notice regarding the Application and the options available to the landowner of record. In addition, Artesian provided evidence via affidavits of publication to show that it had published notice of the Application in two newspapers of general circulation. Staff also notes that it has received no comments regarding Artesian or the Application in response to the published notices; and

WHEREAS, Staff has submitted to the Commission a memorandum that confirms the Application meets all of requirements for granting Artesian a CPCN for water services pursuant to 26 Del. C. §203C and the Regulations. Accordingly, Staff has recommended that the Commission approve the Application;

**NOW, THEREFORE, IT IS HEREBY ORDERED BY THE AFFIRMATIVE
VOTE OF NO FEWER THAN THREE COMMISSIONERS:**

1. Pursuant to 26 Del. C. §203C, the Commission grants a CPCN to Artesian to provide water services to the Proposed Service Area.

2. Artesian 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 CPCN.

3. 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:

Chair

Commissioner

Commissioner

Commissioner

Commissioner

ATTEST:

Secretary