

**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. 15-1440  
NECESSITY TO PROVIDE WATER SERVICES )  
PURSUANT TO 26 DEL. C. §203C ("PALAU )  
PROPERTY") )  
(FILED SEPTEMBER, 30 2015) )

**ORDER NO. 8821**

**AND NOW**, this 24th of November, 2015, the Delaware Public Service Commission ("Commission") determines and orders the following:

**WHEREAS**, on September 30, 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 Sussex County, Delaware, more specifically identified at Tax Map Parcel Number 533-20.18-197.00 and referred to as the "Palau 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 26 Del. Admin. C. §2002, the Commission's "Regulations Governing Certificates of Public Convenience and Necessity for Water Utilities" (the "Regulations"); 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.<sup>1</sup> 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.

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<sup>1</sup> On October 5, 2015, Artesian submitted additional copies of the already-included stamped Certified Mail Receipts which showed more legible date stamps.

**BY ORDER OF THE COMMISSION:**

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Chair

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Commissioner

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Commissioner

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Commissioner

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Commissioner

ATTEST:

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Secretary