

## Lyon, Ashley (DOS)

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**From:** David Valcarenghi <DValcarenghi@artesianwater.com>  
**Sent:** Wednesday, January 06, 2016 2:22 PM  
**To:** Lyon, Ashley (DOS); dos, foia (MailBox Resources); Stock, Tamara (DOS)  
**Cc:** Howatt, Robert (DOS); Hartigan, Matthew (DOS); Donoghue, Julie M (DOS); Nickerson, Donna L (DOS); Mayrack, Brenda (DOJ)  
**Subject:** RE: FOIA request

Artesian does not oppose the release of its Annual Report to a Third Party.

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**From:** Lyon, Ashley (DOS) [mailto:[Ashley.Lyon@state.de.us](mailto:Ashley.Lyon@state.de.us)]  
**Sent:** Tuesday, January 05, 2016 3:24 PM  
**To:** David Valcarenghi <[DValcarenghi@artesianwater.com](mailto:DValcarenghi@artesianwater.com)>; dos, foia (MailBox Resources) <[DOS.FOIA@state.de.us](mailto:DOS.FOIA@state.de.us)>; Stock, Tamara (DOS) <[Tamara.Stock@state.de.us](mailto:Tamara.Stock@state.de.us)>  
**Cc:** Howatt, Robert (DOS) <[Robert.Howatt@state.de.us](mailto:Robert.Howatt@state.de.us)>; Hartigan, Matthew (DOS) <[Matthew.Hartigan@state.de.us](mailto:Matthew.Hartigan@state.de.us)>; Donoghue, Julie M (DOS) <[Jo.Donoghue@state.de.us](mailto:Jo.Donoghue@state.de.us)>; Nickerson, Donna L (DOS) <[Donna.Nickerson@state.de.us](mailto:Donna.Nickerson@state.de.us)>; Mayrack, Brenda (DOJ) <[Brenda.Mayrack@state.de.us](mailto:Brenda.Mayrack@state.de.us)>  
**Subject:** FOIA request

I am diligently working to prepare documents for the FOIA request you submitted. In the meantime, a FOIA request has been received by our office for the following:

The Delaware Public Service Commission ("Commission") has received a request from Kirsten Higgins, Tidewater Utilities, Inc., 1100 S. Little Creek Road, Dover, DE 19901, for public records under the Freedom of Information Act, 29 *Del. C. ch. 100*, and has identified certain documents attached previously filed as "Third Party Confidential Records" under 26 *Del. Admin. C. § 1001-1.11* by Artesian Water ("Affected Party") as responsive to the request.

Pursuant to 8 *Del. Admin. C. § 1202-6.2*, the Commission is providing notice to the Affected Party of the request. The Affected Party may respond within ten (10) days of receipt of this notice according to 8 *Del. Admin. C. § 1202-6.2* whether it opposes the disclosure of the Third Party Confidential Records. If the Commission is not so notified, it will produce the Third Party Confidential Records.

Additional information is available in the Commission's Policies and Procedures Regarding FOIA Requests, 8 *Del. Admin. C. § 1202*.

Thanks!

Ashley Lyon  
Paralegal

Department of State | [Delaware Public Service Commission](#)  
861 Silver Lake Boulevard | Suite 100 | Dover, DE 19904  
☎ (302) 736-7555 | ✉ [ashley.lyon@state.de.us](mailto:ashley.lyon@state.de.us)

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