

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

IN THE MATTER OF THE APPLICATION OF )  
TIDEWATER UTILITIES, INC. FOR A )  
CERTIFICATE OF PUBLIC CONVENIENCE )  
AND NECESSITY TO PROVIDE WATER ) PSC DOCKET NO. 15-1592  
SERVICES PURSUANT TO 26 *DEL. C.* )  
§203C ("BRENFORD ROAD") )  
(SUBMITTED NOVEMBER 24, 2015; FILED )  
JANUARY 5, 2016) )

**ORDER NO. 8865**

**AND NOW**, this 22<sup>nd</sup> day of March, 2016, the Delaware Public Service Commission ("Commission") determines and orders the following:

**WHEREAS**, on November 24, 2015, Tidewater Utilities, Inc. ("Tidewater") began the process of filing an application with the Commission pursuant to 26 *Del. C.* §203C(e)(1)b.2. seeking a Certificate of Public Convenience and Necessity ("CPCN") to expand its facilities and operations to provide water services to one parcel of land in Kent County, Delaware, more specifically identified by the Kent County Tax Map Parcel Number 3-00-027.00-01-41.07 and referred to as "Brenford Road" (the "Proposed Service Area"); and

**WHEREAS**, the Proposed Service Area was part of an existing CPCN previously held by Artesian Water Company that was abandoned by that company on January 5, 2016, via PSC Order No. 8841; and

**WHEREAS**, on January 5, 2016, Tidewater submitted all of the necessary documents to complete its filed application (the "Application"); and

**WHEREAS**, the Application included evidence that Tidewater had mailed notice of the Application and the options available to all landowners of record in the Proposed Service Area. In addition, Tidewater published notice of its Application in two newspapers of general circulation. The Commission has received no comments regarding Tidewater or the Application in response to the published notice; and

**WHEREAS**, Staff reviewed the completed 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"). Staff submitted a memorandum to the Commission dated March 15, 2016, which confirms that the completed Application meets all of the requirements for granting Tidewater a CPCN pursuant to 26 *Del. C.* §203C and the Regulations. Accordingly, Staff recommends that the Commission grant Tidewater a CPCN based on the completed Application;

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

1. Pursuant to 26 *Del. C.* §203C(e), a CPCN is hereby granted to Tidewater to serve the Proposed Service Area more specifically identified by the Kent County Tax Map Parcel Number 3-00-027.00-01-41.07.

2. Tidewater 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:

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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