

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) PSC DOCKET NO. 16-0174
NECESSITY TO PROVIDE SERVICES)
PURSUANT TO 26 *DEL. C.* §203C ("CLAY)
ROAD") (FILED FEBRUARY 9, 2016))

ORDER NO. 8868

AND NOW, this 5th day of April, 2016, the Delaware Public Service Commission ("Commission") determines and orders the following:

WHEREAS, on February 9, 2016, Tidewater Utilities, Inc. ("Tidewater") 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 as Tax Map Parcel Number 335-12.06-60.00 and referred to as "Clay Road" (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 Tidewater 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, Tidewater 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 Tidewater 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 Tidewater 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 Tidewater to provide water services to the Proposed Service Area.

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:

Chair

Commissioner

Commissioner

Commissioner

Commissioner

ATTEST:

Secretary