

APPLICATION FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY REQUIRED TO BEGIN OR EXPAND THE BUSINESS OF A PUBLIC WATER UTILITY

BEFORE THE PUBLIC SERVICE COMMISSION

Application Fee \$300 for filing each extension to a CPCN \$750 for filing each original application for new water utility 26 Del. C. §114(a)

This form of application must be filed for each new and expanding water system pursuant to 26 Del. C. §203C.

WATER UTILITIES: Pump Station #210

1. Basis for application:

- a. Water in the proposed service area does not meet the Regulations Governing Public Drinking Water Systems of the State Board of Health for human consumption; {26 Del. C., §203C (d)(2)(a)}; or
b. Water supply in the proposed service area is insufficient to meet the projected demand; 26 Del. C., §203C (d)(2)(b)}; or
c. The applicant is in possession of a signed service agreement with the developer of a proposed subdivision or development, which subdivision or development has been duly approved by the respective county government; {26 Del. C., §203C (e)(1)(a)}; or
d. The applicant is in possession of a petition signed by all of the parcel owners of the proposed territory to be served; {26 Del. C., §203C (e)(1)(b)}; or
X e. The applicant is in possession of a duly certified copy of a resolution from the governing body of a county or municipality requesting the applicant to provide service to the proposed territory to be served; {26 Del. C., §203C (e)(1)(c)}. Exhibit A

2. To obtain a Certificate of Public Convenience and Necessity ("CPCN") to provide adequate water service to customers and meet the Regulations Governing Drinking Water Standards of the State Board of Health for human consumption {26 Del. C., §203C(a)}.

3. Tidewater Utilities, Inc. requests an informal fact finding procedure during review of application.

- (a.) Full legal name and address of Applicant: Tidewater Utilities, Inc. 1100 South Little Creek Road Dover, Delaware 19901
(b.) Full name of the Utility's designated representative: Joseph C. Cuccinello Emily R. Opdyke
(c.) Phone no: 302-734-7500 X1014 or X1012
(d.) Fax no: 302-734-9297
(e.) Email address: jcuccinello@Tuiwater.com or eopdyke@tuiwater.com

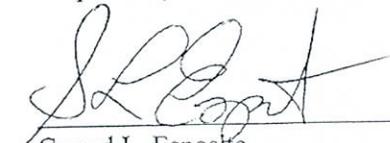
5. Supporting documentation required by 26 Del. C. §203C(e)(1), including evidence that all landowners of the proposed territory have been notified of application: Exhibit B

6. A complete list of county tax map parcel number(s) for the area covered by the application: Exhibit C

7. A complete list of county tax map parcel number(s) with corresponding names and addresses of property owners and a copy of the tax map(s) for the area: Exhibit C

8. The Applicant hereby certifies that the extension will satisfy the provisions of 26 Del. C. §403C, including:
- (a.) The Applicant is currently furnishing water to its present customers in Delaware in such a fashion that water pressure at every house supplies is at least 25 psi at all times at the service connection.
 - (b.) The Applicant shall furnish water to the house or separate location of each new customer in the Delaware at a pressure of at least 25 psi at each location or house at all times at the connection while continuing also to supply each old customer at a pressure of at least 25 psi at each house at all times at the service connection.
 - (c.) The Applicant is currently not subject to a finding by the appropriate federal or state regulatory authority that we have materially failed to comply with applicable safe drinking water or water quality standards; and
 - (d.) The Applicant is currently not subject to any Order issued by the Commission finding that Tidewater Utilities, Inc. has materially failed to provide adequate or proper safe water services to existing customers.
9. Copies of petitions signed by landowners showing all of the parcel owners of the proposed territory to be served agree with the filing of a CPCN to permit Applicant to provide them with public water. **Exhibit A**
10. Plan of service for the proposed service areas covered by this application: **Exhibit D**
11. (a.) A copy of the application must be sent to State Fire Marshall, Public Health Department, Department of Natural Resources and County Engineering/Utility.
- 1.) The current status of such application is: **Sent**
 - (b.) The Applicant provides the following additional information with this application;
 - 1.) A corporate history including dates of incorporation, subsequent acquisitions and/or mergers, **On PSC File**
 - 2.) A chart, which depicts the inter-company relationships, **On PSC File**
 - 3.) A map identifying all areas, including all towns, cities, counties and other governments subdivisions to which service is already provided, **On PSC File**
 - 4.) All copies of Applicant's annual reports to stockholders and that of its subsidiaries, and parent for the last two years, **On PSC File**
 - 5.) Applicant's audited financial statements, 10K's and all proxy material for the last two years, **On PSC File**
 - 6.) Any additional information required by PSC Staff will be made available on request.

Respectfully submitted,


Gerard L. Esposito
President

Plan of Service

Tidewater Utilities, Inc. (Tidewater) intends to provide water service to the parcel of land located at 33881 Westcoats Road, Lewes, DE by extending a 4-inch main from an existing 6-inch water main, located on the northeast side of Westcoats Rd. Tidewater anticipates furnishing water service to the parcel within 30 days of receiving approval to provide water service to the parcel.

TIDEWATER
UTILITIES, INC.

A Middlesex Water Company Affiliate

April 26, 2016

Via Delafile

Donna L. Nickerson, Secretary
Delaware Public Service Commission
861 Silver Lake Blvd
Cannon Building, Suite 100
Dover, DE 19904

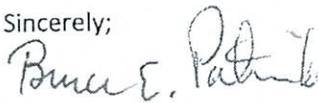
RE: Docket No. 16-0165 – Pump Station #210

On February 5, 2016, Tidewater Utilities, Inc. (TUI) filed an application with the Public Service Commission (PSC) requesting a Certificate of Public Service Convenience and Necessity (CPCN) to provide water service to one parcel of land located in Sussex County. TUI was advised by Staff that since the parcel (334-6.00-39.02) was owned by Sussex County a certified copy of a resolution was needed instead of a petition. TUI provided the requested resolution on April 18, 2016. On April 26, 2016 Staff then advised TUI that it needed to submit a revised CPCN application and plan of service. TUI provided the requested information on April 26, 2016. Staff informed TUI that it does not consider TUI's application to be complete until it received the requested information on April 26, 2016, a date outside the time line necessary to file an application for a CPCN with the PSC.

TUI requests that the PSC waive the publication timing requirement as set forth in 26 Del. Admin C. §2002-10.7, which is allowed by Rule of 1.5 of the CPCN Regulations and permit the application for a CPCN to proceed expeditiously. TUI submits that the grant of the requested waiver is in the public interest because the timing requirement is an administrative rather than statutory requirement and TUI has provided all necessary information about the parcel in the application to the PSC. It is TUI's understanding that no customer complaints have been received regarding the application. TUI submits the grant of a waiver should not be unduly disruptive for customers and provides for an administratively efficient use of resources. Lastly, an extension of water service to the parcel in this CPCN application will not harm or degrade TUI's ability to provide safe, reliable water service for present customers. As such, TUI requests the PSC grant a waiver of the timing requirements and grant a CPCN so TUI may begin to initiate water service to the indicated parcel.

Please feel free to contact Joe Cuccinello at (302) 747-1308 if you have any questions.

Sincerely;



Bruce Patrick
General Manager

FORM OF VERIFICATION

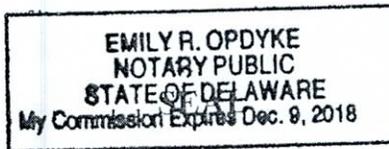
STATE OF Delaware)
) SS
COUNTY OF Kent)

On this 26 day of April, 2016, personally came before me, the subscriber, a Notary Public in and for the state and county aforesaid, Bruce Patrick [name of individual who is signing], known to me personally to be such or having presented to me satisfactory evidence of identity, and acknowledged this document to be [his or her] act and deed that the signature of such individual is in [his or her] own proper handwriting, and that the facts set forth in this Waiver [type of filing, e.g., complaint, application, petition, etc.] are true and correct to the best of [his or her] knowledge, information, and belief.

Bruce E. Patrick
Signature of individual
Printed Name: Bruce E. Patrick

SIGNED AND SWORN (OR AFFIRMED) before me on this 26 day of April, 2016 by Bruce E. Patrick (name of individual who signed above).

Emily R. Opdyke
Signature of Notarial Officer
Notary Public
Title (e.g., Notary Public)



My Commission Expires:
December 9, 2018

**PETITION FOR INCLUSION IN TIDEWATER UTILITIES, INC.
WATER SERVICE TERRITORY**

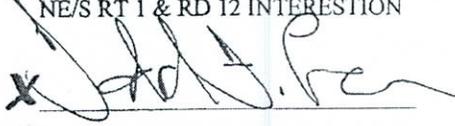
In accordance with 26 Delaware Code 203-C., I/we, the undersigned, as the recorded property owners according to current tax records for the following property/properties, request to be included in the water service territory of Tidewater Utilities, Inc. I/We understand that all of the property owners must sign this petition in order for Tidewater Utilities, Inc to apply for a Certificate of Public Convenience and Necessity (CPCN) in order to provide water service to the following property/properties

Tax Parcel Number(s): 334-6.00-39.02

Property Owner(s): Sussex County

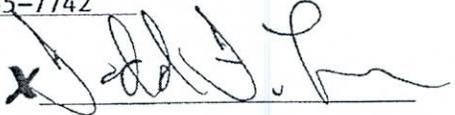
Mailing Address: PO Box 589
Georgetown, DE 19947

Property Address: NE/S RT 1 & RD 12 INTERESTION

Owner's Signature(s): X  Date: 3/16/16

Print Name: X Todd F. Lawson Office Held: X County Administrator

Phone #: (302) 855-7742

Owner's Signature(s): X  Date: 3/16/16

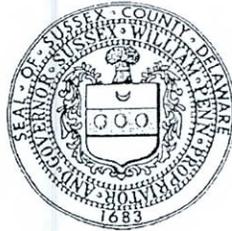
Print Name: X Todd F. Lawson Office Held: X County Administrator

Phone #: (302) 855-7742

Email Address: tlawson@sussexcountyde.gov

I UNDERSTAND THAT BY SIGNING THIS PETITION MY PROPERTY MAY HAVE TO REMAIN IN TIDEWATER UTILITIES, INC. SERVICE TERRITORY PERMANENTLY. I ALSO UNDERSTAND THAT IT MAY AFFECT MY ABILITY TO OBTAIN A PERMIT FOR A NEW WELL. IF YOU HAVE ANY QUESTIONS, COMMENTS, OR CONCERNS, PLEASE CONTACT THE PUBLIC SERVICE COMMISSION AT (302) 736-7500 (in Delaware, call 800-282-8574).

MICHAEL H. VINCENT, PRESIDENT
SAMUEL R. WILSON JR., VICE PRESIDENT
ROBERT B. ARLETT
GEORGE B. COLE
JOAN R. DEEVER



2 THE CIRCLE | PO BOX 589
GEORGETOWN, DE 19947
(302) 855-7743 T
(302) 855-7749 F
sussexcountyde.gov

Sussex County Council

MOTION NO. M 158 16

A MOTION WAS MADE BY MRS. DEEVER, SECONDED BY MR. ARLETT, BASED UPON THE RECOMMENDATION OF THE SUSSEX COUNTY ENGINEERING DEPARTMENT, THAT THE SUSSEX COUNTY COUNCIL AUTHORIZES THE REQUEST TO PETITION TIDEWATER UTILITIES, INC., FOR INCLUSION IN THEIR WATER SERVICE TERRITORY, FOR WATER SERVICE TO BE EXTENDED TO SUSSEX COUNTY PUMP STATION 210 LOCATED AT NE/S ROUTE 1 AND ROAD 12 INTERSECTION, LEWES, DELAWARE.

MOTION ADOPTED: 5 YEAS.

VOTE BY ROLL CALL: MRS. DEEVER, YEA; MR. COLE, YEA;
MR. ARLETT, YEA; MR. WILSON, YEA;
MR. VINCENT, YEA

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF MOTION NO. M 158 16 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 5TH DAY OF APRIL 2016.



NANCY J. CORDREY
ASSISTANT CLERK OF THE COUNCIL

