

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

IN THE MATTER OF THE APPLICATION)
OF THE HAMLET AT DIRICKSON POND, LLC)
FOR ABANDONMENT OF CERTIFICATE OF)
PUBLIC CONVENIENCE AND NECESSITY FOR)
WASTEWATER SERVICES TO THE HAMLET AT) PSC DOCKET NO. 11-236
DIRICKSON FARM SUBDIVISION, SUSSEX)
COUNTY, DELAWARE OPERATED UNDER)
AUTHORITY GRANTED BY PSC ORDER NO.)
6782 IN PSC DOCKET NO. 05-22-032)
(FILED MAY 6, 2011))

ORDER NO. 8120

AND NOW, this 6th day of March, 2012, the Public Service Commission (the "Commission") determines and orders the following:

WHEREAS, on November 22, 2005, in PSC Order No. 6782, the Commission granted The Hamlet at Dirickson Pond, LLC ("The Hamlet") a Certificate of Public Convenience and Necessity ("CPCN") to operate as a wastewater public utility. The Hamlet's service territory covered "The Hamlet at Dirickson Farm," an eighty-one home residential development in Sussex County, Delaware, more specifically described as a service territory encompassing the parcel identified by Sussex County Tax Map Parcel No. 533-11.00-88.00; and

WHEREAS, the Commission retained jurisdiction in this matter, including the authority to enter such further Orders and conduct such further proceedings as it deemed just, proper, or appropriate; and

WHEREAS, on May 6, 2011, The Hamlet filed with the Commission an application requesting that the Commission approve The Hamlet's request to abandon or discontinue providing wastewater operations or services for The Hamlet at Dirickson Farm as previously described in PSC Order No. 6782; and

WHEREAS, 26 Del. C. §203A(c)(1) provides that no public utility shall abandon or discontinue, in whole or in part, any business, operations, or services provided under a CPCN or otherwise, which are subject to jurisdiction of the Commission without first having received Commission approval for such abandonment or discontinuance; and

WHEREAS, Sussex County has by Resolution dated August 7, 2007 (Resolution R 020 07), created a new sewer district to include The Hamlet at Dirickson Farm service area, the wastewater system for this development has been connected to Sussex County's sewer system, and as of September 1, 2010, Sussex County has been providing wastewater services to the customers in The Hamlet at Dirickson Farm; and

WHEREAS, The Hamlet is not presently serving any wastewater customers located in The Hamlet at Dirickson Farm; and

WHEREAS, The Hamlet has provided to the Commission Staff such information necessary for Staff's review of the abandonment application. Based on Staff's review, Staff recommends that the Commission approve The Hamlet's abandonment application because The Hamlet has shown that the abandonment or discontinuance is reasonable, necessary, and not unduly disruptive to the present or future public convenience and necessity as required by 26 Del. C. §203A(c)(3); and

NOW, THEREFORE, IT IS HEREBY ORDERED BY THE AFFIRMATIVE VOTE OF NOT FEWER THAN THREE COMMISSIONERS:

1. The Hamlet at Dirickson Pond, LLC's application to abandon or discontinue providing wastewater operations or services to the service territory encompassing the development of "The Hamlet at

Dirickson Farm," an eighty-one home residential development in Sussex County, Delaware, more specifically described as a service territory encompassing the parcel identified by Sussex County Tax Map Parcel No. 533-11.00-88.00, is hereby granted and approved effective with the date of this Order.

2. That 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

/s/ Joann T. Conaway
Commissioner

/s/ Jaymes B. Lester
Commissioner

/s/ Jeffrey Clark
Commissioner

/s/ Dallas Winslow
Commissioner

ATTEST:

/s/ Alisa Carrow Bentley
Secretary