

BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF DELAWARE

IN THE MATTER OF THE COMPLAINT FILED )  
BY ROLAND C. ANDERSON AGAINST ARTESIAN )  
WATER COMPANY, INC. CONCERNING DISPUTED ) PSC DOCKET NO. 381-12  
RECONNECTION FEE )  
(FILED MARCH 12, 2012) )

ORDER NO. 8204

AND NOW, this 18<sup>th</sup> day of September 2012, the Delaware Public Service Commission ("Commission") having reviewed the record in this case; and having received and reviewed the "Hearing Examiner's Report Recommending That the Commission Grant Summary Judgment in Favor of Artesian Water Company, Inc." dated July 17, 2012; and having read the Motion for Summary Judgment of Artesian Water Company, Inc. ("Artesian") and "Supplemental Affidavit of Malcolm T. George in Support of the Motion of Artesian Water Company, Inc. for Summary Judgment" dated April 20, 2012; and having reviewed the exceptions of Roland C. Anderson, the complainant ("Anderson"), filed on August 1, 2012; and having heard oral argument from the participants at its regularly-scheduled August 21, 2012 meeting; and having deliberated in public at that August 21, 2012, meeting; and having tabled the matter at the August 21, 2012 meeting; and having received and reviewed the "Stipulation of Dismissal with Prejudice" which is attached as Exhibit A; and having deliberated in public at the September 18, 2012 meeting;

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

1. That the Commission hereby accepts the "Stipulation of Dismissal with Prejudice," attached as Exhibit A, which was filed with

the Commission on September 6, 2012. Because both parties in this proceeding (i.e., Mr. Roland C. Anderson and Artesian Water Company, Inc.) entered into this Stipulation on their own accord, the Commission hereby dismisses this matter with prejudice.<sup>1</sup>

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:

/s/ Dallas Winslow  
Chair

/s/ Joann T. Conaway  
Commissioner

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Commissioner

/s/ Jeffrey J. Clark  
Commissioner

/s/ Jaymes B. Lester  
Commissioner

ATTEST:

/s/ Alisa Carrow Bentley  
Secretary

<sup>1</sup> The Commission also ordered at the September 5, 2012 meeting that the Commission Staff review the existing *Rules of Practice and Procedure of the Delaware Public Service Commission*, 26 Del. Admin. C. §1001 et seq. (the "Rules"), and determine whether a procedure could be added to allow the Commission and/or a Hearing Examiner to dismiss a complaint without holding an evidentiary hearing. Staff will present the Commission with a separate order to re-open Regulation Docket No. 99-9 so that the Commission can review the existing Rules and possibly amend or modify such Rules.

EXHIBIT A

STIPULATION OF DISMISSAL WITH PREJUDICE  
DATED SEPTEMBER 4, 2012

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STIPULATION OF DISMISSAL WITH PREJUDICE  
DATED SEPTEMBER 4, 2012

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OF THE STATE OF DELAWARE

RECEIVED

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IN THE MATTER OF THE COMPLAINT FILED )  
BY ROLAND C. ANDERSON AGAINST ARTESIAN )  
WATER COMPANY, INC. CONCERNING )  
DISPUTED RECONNECTION FEE )  
(FILED MARCH 12, 2012) )

DELAWARE P.S.C.

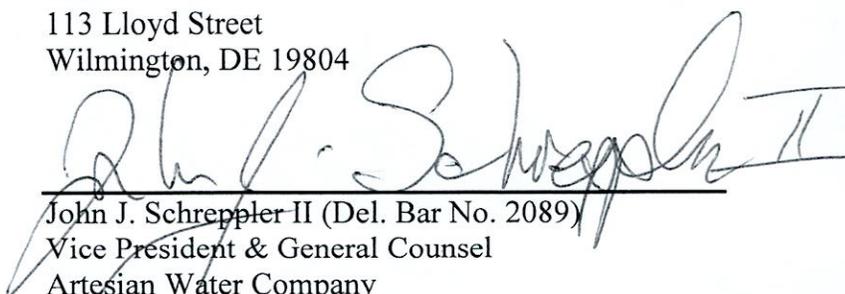
PSC DOCKET NO. 381-12

**STIPULATION OF DISMISSAL WITH PREJUDICE**

This 4<sup>th</sup> day of September, 2012, it is stipulated and agreed by  
and between Petitioner Roland C. Anderson and Respondent Artesian Water Company that the  
claims of Petitioner against Artesian Water Company in the above-captioned matter are  
dismissed with prejudice, with each party bearing its own costs and attorneys' fees.



\_\_\_\_\_  
Roland C. Anderson  
113 Lloyd Street  
Wilmington, DE 19804

  
\_\_\_\_\_  
John J. Schreppler II (Del. Bar No. 2089)

Vice President & General Counsel  
Artesian Water Company  
664 Churchmans Road  
Newark, DE 19702  
(302) 453-6900 (T)  
(302) 453-6957 (F)  
[jschreppler@artesianwater.com](mailto:jschreppler@artesianwater.com)

CERTIFICATE OF SERVICE

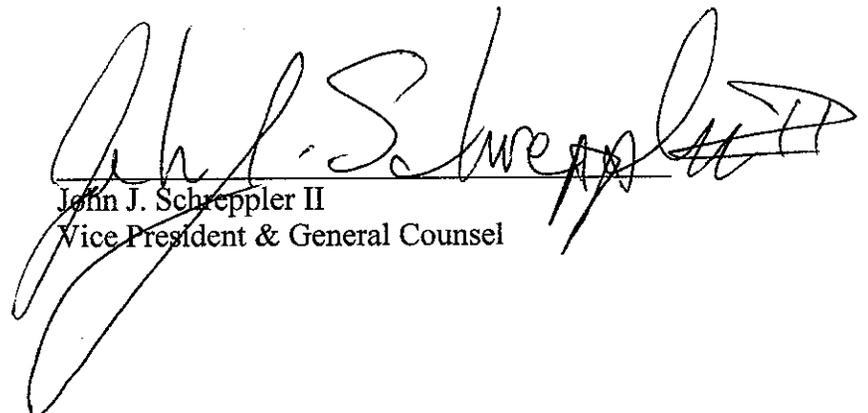
The undersigned Vice President and General Counsel of Artesian Water Company, John J. Schreppler II, hereby certifies that on this 4<sup>th</sup> day of September, 2012, he has caused to be delivered by electronic means (via e-mail) and regular mail a copy of the foregoing Stipulation of Dismissal With Prejudice to:

Alisa C. Bentley, Secretary  
Delaware Public Service Commission  
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Dover, DE 19904  
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John J. Schreppler II  
Vice President & General Counsel