

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) PSC DOCKET NO. 13-CPCN-02
AND NECESSITY TO PROVIDE WATER) (CHESWOLD VOLUNTEER FIRE CO.)
SERVICES PURSUANT TO 26 DEL. C. §203C)
(FILED APRIL 9, 2013 AND AMENDED)
JUNE 21, 2013))

ORDER NO. 8404

AND NOW, this 2nd day of July, 2013:

WHEREAS, on April 9, 2013, Tidewater Utilities, Inc. ("Tidewater" or the "Applicant") filed an application ("Application") with the Delaware Public Service Commission (the "Commission") seeking a Certificate of Public Convenience and Necessity ("CPCN") to expand its facilities and operations in order to provide water services to three parcels of land in Kent County, Delaware ("Proposed Service Area"). The basis for the Application is Tidewater's possession of petitions requesting water services signed by all of the landowners of record of each parcel or property to be encompassed within the Proposed Service Area in accordance with 26 Del. C. §203C(e)(1)b. With its Application, Tidewater filed evidence that it had mailed to the record landowners in the Proposed Service Area notice of its Application and the options available to the affected landowners. In addition, at Staff's direction, Tidewater published notice of its Application in two newspapers of general circulation. No comments regarding the Applicant or this Application have been received; and

WHEREAS, during the review of the application Staff discovered the notification letters that were sent to the landowners included

materials that were not approved by the Commission. Tidewater corrected this deficiency by sending new notification letters to the landowners and amended this application to reflect same on June 21, 2013.

WHEREAS, the Commission Staff has completed its review and investigation of the Application and the Applicant, and, in a June 24, 2013 Memorandum to the Commission, reports that Tidewater's Application meets all requirements for the granting of a CPCN under 26 Del. C. §203C and the Commission's *Regulations Governing Water Utilities Including the Public Service Commission's Jurisdiction to Grant and Revoke Certificates of Public Convenience and Necessity*, 26 Del. Admin. C. §2002. Thus, the Commission Staff recommends approval of the Application;

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

1. That, pursuant to 26 Del. C. §203C(e), a Certificate of Public Convenience and Necessity is granted to Tidewater Utilities, Inc. to serve the area more specifically identified by Kent County Tax Map Parcels Number 03-04611-01-0300, 03-04611-01-0400 and 03-04611-01-0500.

2. That Tidewater Utilities, Inc. 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 Certificate of Public Convenience and Necessity.

3. 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

/s/ Jaymes B. Lester
Commissioner

Commissioner

Commissioner

ATTEST:

/s/ Alisa Carrow Bentley
Secretary

