BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF DELAWARE

IN THE MATTER OF THE REQUEST OF) ARTESIAN WATER COMPANY, INC. TO) ABANDON THE CERTIFICATE OF PUBLIC) CONVENIENCE AND NECESSITY FOR NEW) CASTLE COUNTY TAX MAP PARCEL NUMBERS) 13-018.00-164 AND 13-018.00-166 PSC) ORDER NO. 6606 (APRIL 26, 2005) AND) THE APPLICATION OF TIDEWATER) UTILITIES, INC. FOR A CERTIFICATE OF) PUBLIC CONVENIENCE AND NECESSITY TO) PROVIDE WATER SERVICES PURSUANT TO 26) DEL. C. § 203C (FILED JUNE 1, 2010) -) PSC DOCKET NO. 10-CPCN-16)	PSC DOCKET NO. 10-CPCN-16 ("VANCE NECK ROAD")

ORDER NO. <u>7830</u>

GRANTING CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY
TO PROVIDE PUBLIC WATER UTILITY SERVICES

This 7th day of September, 2010, the Commission finds, determines, and Orders the following:

1.   On June 1, 2010, Tidewater Utilities, Inc. ("Tidewater" or "Applicant") filed an application ("Application") with the Commission seeking a Certificate of Public Convenience and Necessity ("CPCN") to expand its facilities and operations in order to provide water services to two parcels of land in Middletown, New Castle County, Delaware ("Proposed Service Area"). The basis for the Application is Tidewater's possession of the petitions requesting water services signed by all of the owners of the parcels of land comprising 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 all of the landowners in the Proposed Service Area notice of its application and the options available to affected landowners.

2.   The Proposed Service Area in this matter is located in the water service territory of Artesian Water Company, Inc. ("Artesian") which was granted by granted by PSC Docket No. 6606 (April 26, 2005). On April 26, 2010, Artesian filed a written request with the Commission seeking to abandon its CPCN for the specific area in Tidewater's application.

3.   The Commission Staff has completed its review and investigation of the Application and the Applicant. In a August 24, 2010 Memorandum to the Commission, Staff 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*, and recommends approval of the Application.

4.   For these reasons, the Commission finds that Tidewater has met all requirements for the granting of a CPCN and, therefore, the Commission shall approve the Application as filed in PSC Docket No. 10-CPCN-16 on June 1, 2010.

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

1.   That, pursuant to *26 Del. C. §203A(c)(3)*, to the extent it is consistent with this Order, the request for abandonment filed by Artesian Water Company, Inc. on April 26, 2010 is hereby granted, and the parcels of land identified by New Castle County Tax Map Parcel Numbers 13-018.00-164 and 13-018.00-166 be hereby removed from the service territory granted to Artesian Water Company, Inc. by PSC Order Number 6606 on April 26, 2005.

2.   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 New Castle County Tax Map Parcel Numbers 13-018.00-164 and 13-018.00-166.

3.   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.

4.   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/ Arnetta McRae_____
Chair

/s/ Joann T. Conaway_____
Commissioner

/s/ Jaymes B. Lester_____
Commissioner

/s/ Dallas Winslow_____
Commissioner

/s/ Jeffrey J. Clark_____
Commissioner

ATTEST:

/s/ Alisa Carrow Bentley_____
Secretary