

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

IN THE MATTER OF THE APPLICATION OF)
LONG NECK WATER COMPANY FOR A)
CERTIFICATE OF PUBLIC CONVENIENCE) PSC DOCKET NO. 08-CPCN-09
AND NECESSITY TO PROVIDE WATER) ("LONG NECK WATER DISTRICT")
SERVICES PURSUANT TO 26 DEL. C. §203C)
(FILED APRIL 23, 2008))

ORDER NO. 7901

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

AND NOW, this 27th day of January, 2011:

WHEREAS, On April 23, 2008, Long Neck Water Company ("Long Neck" 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 Long Neck, Sussex County, Delaware ("Proposed Service Area"). The basis for the Application is Long Neck's possession of a petition requesting water services signed by the owner of the parcels of land comprising the Proposed Service Area in accordance with 26 Del. C. §203C(e)(1)b. With its Application, Long Neck filed a listing of the County tax map parcel identification numbers of the properties comprising the Proposed Service Area and copies of the associated tax map with the parcels of land comprising the Proposed Service Area clearly marked. In addition, on Staff's direction, Long Neck published notice of its Application in two newspapers of general circulation. No comments

regarding the Applicant or this Application have been received. The landowner of record also requests that notification requirements be waived since the landowner of the Proposed Service Area, Baywood, LLC., and the Company are owned by the same person; and

WHEREAS, the Commission Staff has completed its review and investigation of the Application and the Applicant. In a January 3, 2011 Memorandum to the Commission, Staff reports that Long Neck's Application meets all requirements except those identified above 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 request to waive the regulations identified and the Application; and

WHEREAS, for these reasons, the Commission finds that Long Neck has met all requirements for the granting of a CPCN and, therefore, the Commission shall approve the Application in PSC Docket No. 08-CPCN-09 as filed on April 23, 2008.

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

1. That, pursuant to 26 *Del. C.* §203C(e), to the extent it is consistent with this Order, a Certificate of Public Convenience and Necessity is granted to Long Neck Water Company to serve the area more specifically identified by the Sussex County Tax Map Parcel Numbers 234-17.00-25.01 and 234-24.00-1.00

2. That Long Neck Water Company 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/ 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