

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF DELAWARE

IN THE MATTER OF THE APPLICATION OF)
TIDEWATER ENVIRONMENTAL SERVICES,) PSC DOCKET NO. 11-329WW
INC. FOR AN INCREASE IN WASTEWATER)
RATES (FILED JULY 29, 2011))

ORDER NO. 8014

AND NOW, this 23rd day of August, 2011:

WHEREAS, on July 29, 2011, Tidewater Environmental Services, Inc. ("TESI") filed with the Delaware Public Service Commission (the "Commission") an application seeking approval for a general increase in its wastewater rates; and

WHEREAS, in its application, TESI represents that it is seeking an increase in annual operating revenues of \$797,950 or 90.6% over present rates; and

WHEREAS, on August 9, 2011, the Commission entered PSC Order No. 8012, suspending the proposed rate increase pursuant to 26 *Del. C.* §306(a)(1), pending evidentiary hearings into the justness and reasonableness of the proposed new rates and tariff sheets and a final decision of the Commission and requiring public notice of TESI's application and proposed rate increase; and

WHEREAS, on August 18, 2011, pursuant to 26 *Del. C.* §306(c), TESI filed with the Commission an Application to Put Changes in Rates In Effect Under Bond (the "Application") seeking to place temporary rates under bond and a revised tariff leaf effective on September 28, 2011, to enable TESI to collect under bond and subject to refund an annual

revenue increase of approximately \$121,761, or a net increase of approximately 15%, which does not exceed 15% of the public utility's annual gross intrastate operating revenues or \$2,500,000, whichever is less; and

WHEREAS, TESI also submitted the proposed bond of Middlesex Water Company as surety in the amount of \$75,000, representing the amount of additional revenues that TESI expects to collect during the seven months that interim rates are in effect; and

WHEREAS, Commission Staff has reviewed the petition and its attachments, including a proposed form of rate refunding bond and tariff sheets, and has recommended the approval of the Application;

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

1. That the Commission finds, pursuant to 26 Del. C. §306(c), that Tidewater Environmental Services, Inc. has the statutory right, on and after the expiration of sixty (60) days from the filing of its rate increase application, to place into effect temporary rates, subject to refund, so long as such temporary rates do not exceed the lesser of 15% of TESI's annual gross intrastate operating revenues or \$2,500,000, and provided that the Commission approve as reasonable the amount of the bond and the surety thereon.

2. That the Commission hereby approves as reasonable the form of rate refunding bond with surety attached to the Application filed by Tidewater Environmental Services, Inc. on August 18, 2011, in the

principal amount of \$75,000. A duly executed rate refunding bond shall be filed prior to September 6, 2011.

3. That the proposed temporary rates set forth above in the Application of Tidewater Environmental Services, Inc. and in its revised tariff leaf are reasonably designed to produce, on an annual basis, less than \$2,500,000 and less than 15% of the gross annual intrastate operating revenues of Tidewater Environmental Services, Inc., and may, therefore, be placed into effect on September 28, 2011, under 26 Del. C. §306(c), subject to any refund that the Commission may hereafter order.

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

PSC Docket No. 11-329WW, Order No. 8014 Cont'd

ATTEST:

/s/ Alisa Carrow Bentley
Secretary