

**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. 11-CPCN-07
AND NECESSITY TO PROVIDE WATER	)	("SOUTHWEST NEW CASTLE
SERVICES PURSUANT TO 26 DEL. C. §203C	)	COUNTY")
(FILED APRIL 25, 2011)	)	

**ORDER NO. 8022**

**AND NOW**, this 6<sup>th</sup> day of September, 2011:

**WHEREAS**, on April 25, 2011, 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 one parcel of land located west of Clayton, New Castle 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, on 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**, the Commission Staff has completed its review and investigation of the Application and the Applicant. In an August 9, 2011, 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*, 26 Del. Admin. C. §2002, and recommends approval of the Application.

**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 Tidewater Utilities, Inc. to serve the area more specifically identified by the New Castle County Tax Map Parcel Number 15-25.00-040.

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/ Arnetta McRae  
Chair

/s/ Joann T. Conaway  
Commissioner

/s/ Jaymes B. Lester  
Commissioner

/s/ Dallas Winslow  
Commissioner

/s/ Jeffrey J. Clark  
Commissioner

ATTEST:

/s/ William O'Brien  
Executive Director