

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

IN THE MATTER OF THE REQUEST OF THE)	
TOWN OF OCEAN VIEW TO ABANDON THE)	
CERTIFICATE OF PUBLIC CONVENIENCE AND)	
NECESSITY FOR SUSSEX COUNTY TAX MAP)	
PARCEL NUMBER 134-12.00-774.00 GRANTED)	
NOVEMBER 6, 2007 BY ORDER NO. 7313)	PSC DOCKET NO. 11-CPCN-13
AND IN THE MATTER OF THE APPLICATION OF)	("S PRIMROSE")
TIDEWATER UTILITIES, INC. FOR A)	
CERTIFICATE OF PUBLIC CONVENIENCE)	
AND NECESSITY TO PROVIDE WATER)	
SERVICES PURSUANT TO 26 DEL. C. §203C)	
(FILED NOVEMBER 15, 2011))	

ORDER NO. 8108

AND NOW, this 9th day of February, 2012:

WHEREAS, on November 15, 2011, Tidewater Utilities, Inc. ("Tidewater" or "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 one parcel of land in Ocean View, Sussex 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;

WHEREAS, the parcel (Sussex County Tax Map Parcel Number 134-12.00-774.00) in the Proposed Service Area in this matter are located in the water service territory of the Town of Ocean View ("Ocean View") which was granted by Order No. 7919 (November 6, 2007). On September 30, 2011, Ocean View filed a written request with the Commission seeking to abandon its CPCN for these specific areas in Tidewater's application; and

WHEREAS, the Commission Staff has completed its review and investigation of the Application and the Applicant, and, in a January 23, 2012, 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. § 203A(c)(3), to the extent it is consistent with this Order, the request for abandonment filed by the Town of Ocean View on September 30, 2011 is hereby granted, and the parcel of land identified by Sussex County Tax Map Parcel No. 134-12.00-774.00 be hereby removed from the service territory granted to the Town of Ocean View by Order No. 7313 on November 6, 2007.

2. 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 Kent County Tax Map Parcel Number 134-12.00-774.00.

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:

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