

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

IN THE MATTER OF THE APPLICATION OF )  
ARTESIAN WATER COMPANY, INC. FOR A )  
CERTIFICATE OF PUBLIC CONVENIENCE AND )  
NECESSITY TO PROVIDE WATER SERVICES )  
TO SIXTEEN PARCELS OF LAND LOCATED IN )  
THE VICINITY OF THE TOWN OF MAGNOLIA, )  
KENT COUNTY, DELAWARE (FILED APRIL 2, )  
2004) )

PSC DOCKET NO. 04-CPCN-04  
(MAGNOLIA AREA 2)

IN THE MATTER OF THE APPLICATION OF )  
ARTESIAN WATER COMPANY, INC. TO )  
ABANDON WATER SERVICES PROVIDED UNDER )  
A CERTIFICATE OF PUBLIC CONVENIENCE )  
AND NECESSITY UNDER 26 *DEL. C.* §203A(c) )  
FOR ROBIN HILL (FILED MARCH 19, 2012) )

PSC DOCKET NO. 12-139

**ORDER NO. 8140**

**AND NOW**, this 1<sup>ST</sup> day of May, 2012, the Public Service Commission (the "Commission") determines and orders the following:

**WHEREAS**, on June 22, 2004, in PSC Order No. 6439, the Commission granted a Certificate of Public Convenience and Necessity ("CPCN") to Artesian Water Company, Inc. ("Artesian") to provide water operations or services to customers in the service territory encompassing sixteen tax parcels of land located in the vicinity of the Town of Magnolia, Kent County, Delaware, and more specifically identified by the Kent County tax parcels numbers ED-00-086.00-01-16.01, ED-00-088.00-01-15.00, ED-00-097.00-01-05.00, SM-00-105.00-01-14.00, SM-00-105.00-01-15.00, SM-00-105.00-01-23.00, SM-00-105.00-01-27.00, SM-00-105.00-01-27.01, SM-00-112.04-01-01.00, SM-00-113.00-02-14.00, SM-00-113.00-02-15.01, SM-00-113.00-02-15.02, SM-00-113.00-02-16.00, SM-00-113.00-02-

17.00, SM-00-113.00-02-20.00, and SM-00-113.00-02-34.00. To date, tax parcel number SM-00-112.04-01-01.00 has been subdivided into 19 separate parcels called "Robin Hill," all of which are listed on the attached Exhibit "A"; and

**WHEREAS**, the Commission retained jurisdiction in this matter, including the authority to enter such further Orders and conduct such further proceedings as it deemed just, proper, or appropriate; and

**WHEREAS**, on March 19, 2012, Artesian filed with the Commission an application requesting that the Commission approve Artesian's request to abandon or discontinue providing wastewater operations or services for the parcels of property in Robin Hill; and

**WHEREAS**, 26 Del. C. §203A(c)(1) provides that no public utility shall abandon or discontinue, in whole or in part, any business, operations, or services provided under a CPCN or otherwise, which are subject to jurisdiction of the Commission without first having received Commission approval for such abandonment or discontinuance; and

**WHEREAS**, Artesian stated that it has never provided water services to Robin Hill; and

**WHEREAS**, Artesian has also indicated that the cost to extend its transmission lines the required distance to service such a small number of customers in Robin Hill is considered to be cost prohibitive; and

**WHEREAS**, Artesian is not presently serving any water customers located in Robin Hill; and

**WHEREAS,** Artesian has provided to the Commission Staff such information necessary for Staff's review of the company's request to abandon wastewater operations or services to Robin Hill. Based on its review, Staff recommends that the Commission approve Artesian's application to abandon water operations or services to Robin Hill because Artesian has shown that the abandonment or discontinuance is reasonable, necessary, and not unduly disruptive to the present or future public convenience and necessity as required by 26 *Del. C.* §203A(c) (3);

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

1. Artesian Water Company, Inc.'s application to abandon or discontinue providing water operations or services to Robing Hill, located in the vicinity of the Town of Magnolia, Kent County, Delaware, and more specifically identified by the tax parcels numbers listed on the attached Exhibit "A", is hereby granted and approved effective with the date of this Order.

2. 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:

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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

E X H I B I T "A"

TAX PARCEL IDENTIFICATION NUMBERS  
ASSOCIATED WITH THE ABANDONMENT OF WATER  
SERVICES BY ARTESIAN WATER COMPANY, INC.  
FOR ROBIN HILL  
KENT COUNTY, DELAWARE

SM00-112.04-01-6100	SM00-112.04-01-71.00
SM00-112.04-01-62.00	SM00-112.04-01-72.00
SM00-112.04-01-63.00	SM00-112.04-01-73.00
SM00-112.04-01-64.00	SM00-112.04-01-74.00
SM00-112.04-01-65.00	SM00-112.04-01-75.00
SM00-112.04-01-66.00	SM00-112.04-01-76.00
SM00-112.04-01-67.00	SM00-112.04-01-77.00
SM00-112.04-01-68.00	SM00-112.04-01-78.00
SM00-112.04-01-69.00	SM00-112.04-01-80.00
SM00-112.04-01-70.00	