

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF DELAWARE

IN THE MATTER OF THE APPLICATION OF)
ARTESIAN WATER COMPANY, INC. TO)
IMPLEMENT A RATE APPLICABLE TO) PSC DOCKET NO. 12-227T
12-INCH PRIVATE FIRE DETECTOR CHECK)
SERVICE)
(FILED MAY 23, 2012))

ORDER NO. 8159

This 19th day of June 2012, the Commission determines and orders the following:

WHEREAS, on May 23, 2012, Artesian Water Company, Inc. ("AWC") filed an application ("Application") seeking approval from the Commission, on an expedited basis, to modify its existing tariff to include a new 12-inch Private Fire Protection Charge, with an effective date of June 1, 2012; and

WHEREAS, according to AWC, it had, due to an oversight, deleted the 12-inch Private Fire Protection Charge in its last rate case, PSC Docket No. 11-207, and it now needs to reinstate a 12-inch rate for one customer, the Delaware River and Bay Authority ("DRBA"); and

WHEREAS, by letter dated June 12, 2012, AWC notified the DRBA of its pending application; and

WHEREAS, on Commission Staff's recommendation, AWC submitted, on June 13, 2012, a request for a waiver of the 60-day notice requirement for tariff changes, required under 26 Del. C. §304(a), stating that expedited action is necessary to prevent further loss of revenue for a service currently being provided; and

WHEREAS, Staff supports AWC's waiver request because AWC is already supplying the service and because the one affected customer can be notified of the proceedings without delay; and

WHEREAS, for the reasons provided by AWC and Staff, the Commission finds that "good cause" exists to grant a waiver of the 60-day notice requirement;

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

1. That the Commission grants Artesian Water Company, Inc.'s June 13, 2012 request for a waiver of the 60-day notice requirement for tariff changes, under 26 *Del. C.* §304(a), with regard to its May 23, 2012 request for a new 12-inch Private Fire Protection Charge.

2. That the Commission will hear Artesian Water Company, Inc.'s application for the new 12-inch Private Fire Protection Charge at its July 3, 2012 meeting.

3. That the Secretary of the Commission shall provide notice to the Delaware River and Bay Authority ("DRBA") of the July 3, 2012 proceeding, stating that DRBA may offer any objections to the proposed charge at the proceeding or, in writing, prior to the proceeding.

4. That Artesian Water Company, Inc. is hereby notified that it will be assessed the costs of this proceeding pursuant to 26 *Del. C.* §114(b).

5. 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