

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

IN THE MATTER OF THE APPLICATION)
OF WILKERSON WATER COMPANY FOR A)
CERTIFICATE OF PUBLIC CONVENIENCE) PSC DOCKET NO. 12-CPCN-02
AND NECESSITY TO PROVIDE WATER) ("FLIP FLOP HOLDINGS,
SERVICES PURSUANT TO 26 DEL. C.) LLC")
§203C)
(FILED SEPTEMBER 25, 2012))

ORDER NO. 8238

AND NOW, this 5th day of November 2012:

WHEREAS, on September 25, 2012, Wilkerson Water Company ("Wilkerson" 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 located at Fisherman's Village, Bowers Beach, Kent County, Delaware ("Proposed Service Area"). The basis for the Application is Wilkerson'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, Wilkerson 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, Wilkerson 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, and, in an October 16, 2012 Memorandum to the Commission, reports that Wilkerson'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 et seq.* 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. §203C(e)*, to the extent it is consistent with this Order, a Certificate of Public Convenience and Necessity is granted to Wilkerson Water Company to serve the area more specifically identified by Kent County Tax Map Parcel Number SM01-115.17-01-03.00.

2. That Wilkerson Water Company 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.

