

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

IN THE MATTER OF THE APPLICATION OF)
TIDEWATER ENVIRONMENTAL SERVICES,)
INC. FOR A GENERAL RATE INCREASE FOR)
WASTEWATER SERVICES FOR CUSTOMERS OF) PSC DOCKET NO. 12-498WW
THE PLANTATIONS RESIDENTIAL COMMUNITY)
WASTEWATER SYSTEM)
(FILED NOVEMBER 7, 2012))

ORDER NO. 8250

AND NOW, this 29th day of November, 2012:

WHEREAS, on November 7, 2012, Tidewater Environmental Services, Inc. ("TESI") filed with the Delaware Public Service Commission (the "Commission") an application (the "Application") to increase wastewater rates by a total of \$89,000 (or 38% over current revenues) for customers of the Plantations Residential Community; and

WHEREAS, the Commission determines that pursuant to the authority granted to the Commission by 26 *Del. C.* § 306(a)(1), TESI's filing shall be suspended pending full and complete evidentiary hearings into the justness and reasonableness of the proposed new rates and tariff sheets and a final decision of the Commission;

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

1. That the rates and revised tariff sheets in the application ("Application") filed by Tidewater Environmental Services, Inc. on November 7, 2012, are hereby suspended pursuant to 26 *Del. C.* §306(a)(1) and shall not be placed into force or effect except pursuant to law or further Order of the Commission, and then only to the extent such law or further Commission Order may permit or allow.

2. That, pursuant to the requirements of 26 *Del. C.* §§102A and 304, TESI shall give public notice of the Application for increased rates and revised tariff sheets by causing the notice attached hereto as **Exhibit "A"** to be published in the Delaware State News newspaper, in two-column format, outlined in black, on **Tuesday, December 11, 2012**. TESI shall also send by first-class mail a copy of its Application to all residents of the Plantation Residential Community and file proof of such notice and publication with the Commission as soon thereafter as is reasonably practicable, and prior to the date set for any evidentiary hearing in this docket.

3. That Mark Lawrence is designated as Hearing Examiner for this matter pursuant to the terms of 26 *Del. C.* §502 and 29 *Del. C.* ch. 101 to schedule and conduct, upon due notice, such public comment sessions and evidentiary hearings as may be necessary to have a full and complete record concerning the justness and reasonableness of the proposed increased rates and tariff modifications. Thereafter, Mr. Lawrence shall file with the Commission his proposed findings and recommendations. Pursuant to 26 *Del. Admin. C.* §1001-2.9.3, Mr. Lawrence is specifically delegated the authority to grant or deny petitions seeking leave to intervene. In addition, Mr. Lawrence is delegated the authority, under 26 *Del. C.* §102(A), to determine the form and manner of any further public notice in this matter.

4. That James McC. Geddes is designated as rate counsel in this matter.

5. That the deadline for petitions to intervene in this docket, pursuant to 26 *Del. Admin. C.* §1001-2.9, shall be December 27, 2012.

6. TESI is hereby placed on notice that the costs of the proceeding will be charged to it under the provisions of 26 *Del. C.* §114(b)(1).

7. 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/ Jeffrey J. Clark
Commissioner

/s/ Jaymes B. Lester
Commissioner

Commissioner

ATTEST:

/s/ Alisa Carrow Bentley
Secretary

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THE PLANTATIONS RESIDENTIAL COMMUNITY)
WASTEWATER SYSTEM)
(FILED NOVEMBER 7, 2012))

**PUBLIC NOTICE OF APPLICATION OF
TIDEWATER ENVIRONMENTAL SERVICES, INC.
FOR A RATE INCREASE**

**TO: THE CUSTOMERS OF PLANTATIONS RESIDENTIAL COMMUNITY WASTEWATER
SYSTEM (PLANTATIONS):**

On November 7, 2012, Tidewater Environmental Services, Inc. ("TESI") filed an application with the Delaware Public Service Commission ("the Commission") to increase its rates for wastewater service. In its application, TESI seeks an overall increase in annual operating revenues of approximately \$89,000, or 38%, over current wastewater revenues of \$235,000.

The following is a comparison of present monthly rates and proposed monthly rates:

DEVELOPMENT	PRESENT RATE	PROPOSED RATE
Plantations	\$32.00	\$44.17

On November 29, 2011, pursuant to 26 Del. C. §306(a)(1), the Commission suspended the effectiveness of the proposed new rates and tariff revisions pending further investigation, public comment sessions, and public evidentiary hearings, which will be held later after further public notice.

The Commission will make its decision on this matter on the basis of the evidence of record taken at public evidentiary hearings. The Commission may approve or reject, in whole or in part, the proposed rate increase and tariff revisions, and may approve a different method for allocating any increase should one be found to be appropriate.

YMG's customers (Residents of Plantations Residential Community) are invited to review the application and supporting documents to determine how their interests may be affected. You may review the documents during normal business hours in the Commission's Dover office at the address listed below or on the Commission's website at <http://dep.sc.delaware.gov/wastewater.shtml>. You may also review copies of the filing at the office of the Division of the Public Advocate located at the Carvel State Office Building, 4th Floor, 820 North French Street, Wilmington, Delaware 19801. Please call (302) 577-5077 to arrange for a time to review the documents at that location.

If you wish to participate as a party in this docket, with the right to present evidence and be heard by counsel, you must file a petition to intervene under 26 *Del. Admin. C.* §1001-2.9. You must file that petition **on or before December 27, 2012**, at the Commission's office located at:

Delaware Public Service Commission
861 Silver Lake Boulevard
Cannon Building
Suite 100
Dover, Delaware 19904
ATTN: PSC Docket No. 12-498WW

Petitions filed thereafter will not be considered except for good cause shown.

If you have a disability and wish to participate in, or to review the materials in, these proceedings, please contact the Commission to discuss any auxiliary aids or services you might need to help you. You may contact the Commission in person, in writing, by telephone (including text telephone), or by Internet e-mail. If you have questions about this matter, please call the Commission at 1-800-282-8574 (toll-free in Delaware) or (302) 736-7500 (voice and text telephone). You may also send questions by Internet e-mail addressed to psc@state.de.us.