

BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF DELAWARE

JOINT APPLICATION OF YMG CORPORATION AND)
TIDEWATER ENVIRONMENTAL SERVICES, INC.)
FOR APPROVAL OF THE SALE OF ASSETS AND)
TRANSFER OF CPCN FROM YMG CORPORATION TO)
TIDEWATER ENVIRONMENTAL SERVICES, INC.) PSC DOCKET NO. 12-497
(FILED NOVEMBER 7, 2012))

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

ORDER No. 8329

FOR ADMISSION AS AN INTERVENOR

AND NOW, this 20th day of March, 2013, pursuant to the authority granted to me in PSC Order Nos. 8248 and 8250 dated November 29, 2012, this Hearing Examiner having considered the Petition of the Attorney General of the State of Delaware For Leave to Intervene Out of Time("the Petition");

NOW, THEREFORE,

1. According to 29 Del C. §8716 (d) & (g), the Public Advocate has the statutory right to intervene before the Commission in this case involving wastewater rates.

2. The Public Advocate's office became vacant on or about March 13, 2013. The Governor has not yet named a replacement, which

must also be confirmed by the Senate.

3. On March 18, 2013, the Delaware Attorney General's (DAG's) office filed the subject Petition For Leave To Intervene Out of Time. The DAG's Motion states as follows:

"Petitioner's participation in the proceeding is in the public interest because the consumers' interests are not otherwise represented. The Public Advocate's office is not representing consumers because the position of Public Advocate is currently vacant. The General Assembly, in creating the position of Public Advocate, intended that the interests of consumers in the lowest reasonable rates consistent with maintaining utility service and equitable rate distribution be represented before this Commission. 29 Del C. §§8716(d)(1),(2). The Attorney General, in his role as *parens patriae*, is the lawful representative of the State's consumers of regulated utility services, and is the proper party to intervene on their behalf under these circumstances."

4. Accordingly, the Petition is **GRANTED**.

BY ORDER OF THE HEARING EXAMINER:

/s/ Mark Lawrence
Mark Lawrence, Hearing Examiner