

BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF DELAWARE

IN THE MATTER OF THE APPLICATION OF )  
TIDEWATER UTILITIES, INC. FOR A )  
CERTIFICATE OF PUBLIC CONVENIENCE ) PSC DOCKET NO. 13-CPCN-03  
AND NECESSITY TO PROVIDE WATER ) ("Sussex 031313")  
SERVICES PURSUANT TO 26 DEL. C. §203C )  
(FILED APRIL 11, 2013 and AMENDED )  
JUNE 21, 2013) )

ORDER NO. 8405

AND NOW, this 2th day of July, 2013:

WHEREAS, on April 11, 2013, Tidewater Utilities, Inc. ("Tidewater" 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 five parcels of land in Sussex County, Delaware ("Proposed Service Area"). The basis for the Application is Tidewater'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, Tidewater 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, Tidewater published notice of its Application in two newspapers of general circulation. No comments regarding the Applicant or this Application have been received; and

**WHEREAS**, During the review of the application Staff discovered the following deficiencies: 1.) one of the petitions was not completely filled out; 2.) the record date, the date used to verify the landowner information, for Sussex County tax parcel 430-2.00-12.00 was over 60 days old; and 3.) the notification letters that were sent to the landowners included materials that were not approved by the Commission. On June 21, 2013, Tidewater amended its Application to correct the deficiencies identified by Staff.

**WHEREAS**, the Commission Staff has completed its review and investigation of the Application and the Applicant, and, in an June 24, 2013, Memorandum to the Commission, reports that Tidewater'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., 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), a Certificate of Public Convenience and Necessity is granted to Tidewater Utilities, Inc. to serve the area more specifically identified by Sussex County Tax Map Parcel Numbers 333-10.00-15.01, 333-7.00-2.02, 333-11.00-46.00, 430-2.00-12.00 and 231-7.00-30.00.

2. That Tidewater Utilities, Inc. 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.

3. 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:

/s/ Dallas Winslow  
Chair

/s/ Joann T. Conaway  
Commissioner

/s/ Jaymes B. Lester  
Commissioner

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Commissioner

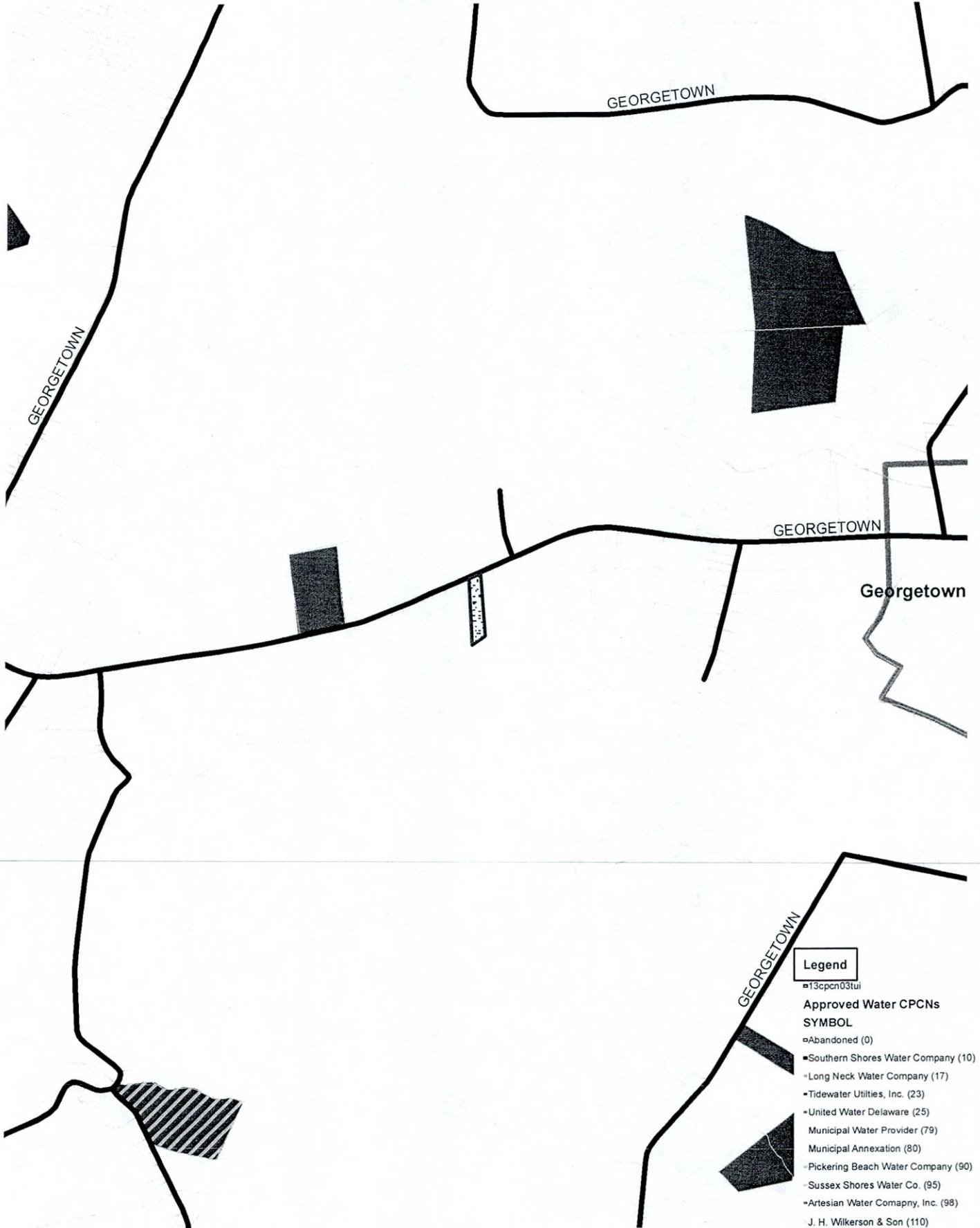
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Commissioner

ATTEST:

/s/ Alisa Carrow Bentley  
Secretary



- Legend**
- 13cpcn03tui
  - Approved Water CPCNs**
  - SYMBOL**
  - Abandoned (0)
  - Southern Shores Water Company (10)
  - Long Neck Water Company (17)
  - Tidewater Utilities, Inc. (23)
  - United Water Delaware (25)
  - Municipal Water Provider (79)
  - Municipal Annexation (80)
  - Pickering Beach Water Company (90)
  - Sussex Shores Water Co. (95)
  - Artesian Water Company, Inc. (98)
  - J. H. Wilkerson & Son (110)





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