

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

IN THE MATTER OF THE APPLICATION OF )  
ARTESIAN WATER COMPANY, INC. FOR A )  
CERTIFICATE OF PUBLIC CONVENIENCE ) PSC DOCKET NO. 13-CPCN-06  
AND NECESSITY TO PROVIDE WATER )  
SERVICES PURSUANT TO 26 *DEL. C.* §203C )  
("AWC 051613") )  
(FILED JULY 22, 2013 and AMENDED )  
AUGUST 2, 2013) )

**ORDER NO. 8447**

**AND NOW**, this 27th day of August, 2013:

**WHEREAS**, on July 22, 2013, Artesian Water Company, Inc. ("Artesian" or "Applicant") filed an application ("Application") with the Delaware Public Service Commission (the "Commission") pursuant to 26 *Del. C.* §203C(e)(1)(b) seeking a Certificate of Public Convenience and Necessity ("CPCN") to expand its facilities and operations in order to provide water services to four (4) parcels of land in Sussex County, Delaware identified at Tax Parcel numbers 234-5.00-136.00, 533-11.00-80.00, 135-16.00-72.01 and 135-16.00-72.00 and one (1) parcel of land in Kent County, Delaware identified at Tax Parcel number 122.00-02-27.01 ("Proposed Service Area"). The Application included evidence that Artesian mailed notice of the Application and the options available to all landowners of record in the Proposed Service Area. In addition, Artesian published notice of the Application in two newspapers of general circulation. The Commission received no comments regarding Artesian or this Application; and

**WHEREAS**, Commission Staff ("Staff") reviewed the Application to ensure compliance with the statutory provisions of 26 *Del. C.* §203C

and the Commission's *Regulations Governing Certificates of Public Convenience and Necessity for Water Utilities*, 26 Del. Admin. C. §2002 (the "Regulations"). Staff determined that the Application was procedurally deficient because the Proposed Service Area improperly included property in two different Counties. On August 2, 2013, Artesian amended the Application by removing the Kent County Parcel and filed a separate application at Docket #13-CPCN-07 for the Kent County Parcel. No other errors or omissions were found.

**WHEREAS**, Staff completed its review and investigation of the Application as amended, and submitted a memorandum dated August 20, 2013 to the Commission which confirms that the Application as amended meets all requirements for granting Artesian a CPCN pursuant to 26 Del. C. §203C. Accordingly, Staff recommends approval of the Application as amended.

**NOW, THEREFORE, IT IS HEREBY ORDERED BY THE AFFIRMATIVE  
VOTE OF NO FEWER THAN THREE COMMISSIONERS:**

1. Pursuant to 26 Del. C. §203C(e), the Application as amended is approved and a Certificate of Public Convenience and Necessity is granted to Artesian to serve the Proposed Service Area.

2. Artesian 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. 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:

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Chair

/s/ Joann T. Conaway  
Commissioner

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Commissioner

/s/ Jeffrey J. Clark  
Commissioner

/s/ Jaymes B. Lester  
Commissioner

ATTEST:

/s/ Alisa Carrow Bentley  
Secretary