

**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)
AND NECESSITY TO PROVIDE WATER)
SERVICES PURSUANT TO 26 *DEL. C.*) PSC DOCKET NO. 14-CPCN-02
§203C ("PEP-UP"))
(SUBMITTED FEBRUARY 18, 2014; FILED)
JUNE 20, 2014))

ORDER NO. 8626

AND NOW, this 9th day of September, 2014, the Delaware Public Service Commission ("Commission") determines and orders the following:

WHEREAS, on February 18, 2014, Tidewater Utilities, Inc. ("Tidewater") submitted an application with 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 to provide water services to one parcel of land in Sussex County, Delaware, referred to as the Pep-up (the "Proposed Service Area"). The Commission Staff ("Staff") later determined that this application was incomplete;¹ and

WHEREAS, on June 20, 2014, Tidewater filed a complete application (the "Application") with the Commission which included signed petitions and additional required information to

¹ The submitted application failed to include documentation showing that the individual who submitted signed a petition for water services had the legal authority to sign and submit such document on behalf of the landowner.

show that the individuals who signed on behalf of the landowner had the legal authority to do so; and

WHEREAS, the Application included evidence that Tidewater had mailed notice of the Application and the options available to all landowners of record in the Proposed Service Area. In addition, Tidewater published notice of its Application in two newspapers of general circulation. The Commission has received no comments regarding Tidewater or this Application in response to the published notice; and

WHEREAS, Staff has 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 submitted a memorandum to the Commission dated August 26, 2014, which confirms that the Application meets all requirements for granting Tidewater a CPCN pursuant to 26 *Del. C.* §203C and the Regulations. Accordingly, Staff recommends approval of the Application;

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

1. Pursuant to 26 *Del. C.* §203C (e), a CPCN is hereby granted to Tidewater to serve the Proposed Service Area more specifically identified by the Sussex County Tax Map Parcel Number 234-23.00-269.08.

2. Tidewater 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 CPCN.

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:

/s/ Dallas Winslow
Chair

/s/ Joann T. Conaway
Commissioner

/s/ Jaymes B. Lester
Commissioner

/s/ Jeffrey J. Clark
Commissioner

/s/ Harold B. Gray
Commissioner

ATTEST:

/s/ Alisa Carrow Bentley
Secretary