



OVER **115** YEARS OF SUPERIOR SERVICE

Artesian Water Company



Artesian Wastewater Management



Artesian Utility Development



Artesian Water Pennsylvania



Artesian Water Maryland



Artesian Wastewater Maryland

Via DelaFile

June 29, 2023

Malika Davis, Acting Secretary  
Delaware Public Service Commission  
861 Silver Lake Boulevard  
Cannon Building, Suite 100  
Dover, Delaware 19904

RE: CPCN Application – ZOAR15.00

Dear Ms. Davis:

Enclosed please find a CPCN Application filed on behalf of Artesian Water Company, Inc. to provide water service to 8 parcels in Sussex County. AWC paid the required \$300 application fee electronically through the Commission's electronic portal *Delafile*.

Please feel free to contact me at (302) 453-2385 should you have any questions regarding this application.

Sincerely,

A handwritten signature in black ink that reads "Steph Joswick".

Stephen Joswick  
Customer Development Coordinator

cc: Connor Mobley-Reader, Division of Water Resources (DNREC)  
John Rudd, Office of the Delaware State Fire Marshal  
Stephen Mann, Delaware Public Health Office of Drinking Water  
John Ashman, Sussex County Engineering Department

**BEFORE THE DELAWARE PUBLIC SERVICE COMMISSION**

**APPLICATION FOR A  
CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY**

This application is filed consistent with the requirements of Delaware Code 26 Del. C. §203C.

Type of Utility Service: **Water Service**

**I. APPLICANT INFORMATION**

A. Full legal name and address of Applicant:

**ARTESIAN WATER COMPANY, INC. (“AWC” or the “Company”)**  
**664 CHURCHMANS ROAD**  
**NEWARK, DE 19702**

B. Utility Contact: **Courtney A. Emerson**  
C. Phone No.: **(302) 453-7309**  
D. Fax No.: **(302) 369-4041**  
E. Email: **[cemerson@artesianwater.com](mailto:cemerson@artesianwater.com)**

**II. BASIS FOR APPLICATION**

- \_\_\_A. The Applicant is in possession of a signed service agreement with the developer of a proposed subdivision or development, which subdivision or development has been duly approved by the respective county government. (26 Del. C. § 203C (e) (1) (b) (1)).
- X B. The Applicant has one or more petitions requesting water service from the applicant executed by the landowners of record of each parcel or property to be encompassed within the proposed territory to be served. (26 Del. C. § 203C (e) (1) (b) (2)).
- \_\_\_C. The Applicant, in the case of existing development, subdivision, or generally recognized unincorporated community has one or more petitions requesting water service from the applicant executed by the landowners of record of parcels and properties that constitute a majority of the parcels or properties in the existing development, subdivision, or unincorporated community. (26 Del. C. § 203C (e) (1) (b) (3)).
- \_\_\_D. The Applicant possess a certified copy of a resolution or ordinance from the governing body of a municipality that requests, directs, or authorizes the applicant to provide water services to the proposed territory to be served, which must be located within the boundary of such county and municipality. (26 Del. C. § 203C((e)(1)(b)(4))

### **III. PROCEDURE**

- A. Artesian Water Company, Inc. requests that this application be reviewed pursuant to an informal fact finding procedure.

### **IV. CUSTOMER PETITIONS & IDENTIFICATION OF PARCELS**

- A. ZOAR15.00 – Exhibit A

### **V. FINANCIAL AND OPERATIONAL CAPABILITIES**

- A. Complete details of the Company are on file with the Commission, including information on the Company's financial and operational capabilities.
- B. AWC has been in the business of providing a safe, secure, reliable water supply to customers for over 100 years.
- C. AWC is an affiliate of Artesian Resources Corporation ("ARC"). Information detailing the organizational structure of ARC and its affiliates is on file with the Commission.
- D. AWC currently serves approximately 95,241 customers throughout the State of Delaware.
- E. AWC facilities are operated by fully licensed operators that have operated in full compliance with applicable federal and state rules, regulations, and laws.
- F. AWC provides a minimum threshold for water pressure of at least 25 psi to all existing customers. AWC states that it will provide service to the parcel that meet or exceed water pressure guidelines.
- G. AWC provides superior service and is not subject to any orders from the Commission finding the Company has materially failed to provide adequate or proper safe water services to existing customers.
- H. AWC is not subject to a ruling or decision from DNREC or any other regulatory authority finding that the Company has materially failed to provide adequate or proper safe water services to existing customers.

## VI. OTHER

- A. AWC's CPCN Application is fully consistent with prior Commission decisions.
- B. For informational purposes, this CPCN application has been forwarded via email to the following parties:
  1. Connor Mobley-Reader, Division of Water Resources (DNREC)
  2. John Rudd, Office of the Delaware State Fire Marshal
  3. Stephen Mann, Delaware Public Health Office of Drinking Water
  4. John Ashman, Sussex County Engineering Department

Respectfully Submitted,

*/s/ Courtney A. Emerson*

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Courtney A. Emerson (DE Bar No. 6229)  
Artesian Water Company, Inc.  
General Counsel

**AFFIDAVIT**

STATE OF DELAWARE )  
 ) SS  
COUNTY OF NEW CASTLE )

On this 29<sup>th</sup> day of June, 2023, personally came before me, the subscriber, a Notary Public in and for the state and county aforesaid, Nicholle R. Taylor, the President of Artesian Water Company, Inc. known to me personally to be such or having presented to me satisfactory evidence of identity, and acknowledged this document to be the act and deed of such corporation, that the signature of such individual is in her own proper handwriting, and that the facts set forth in this application are true and correct to the best of her knowledge, information, and belief.

*Nicholle R. Taylor*  
Signature of individual

Nicholle R. Taylor  
Printed Name

**SIGNED AND SWORN (OR AFFIRMED)** before me on this 29<sup>th</sup> day of June, 2023

*Crystal P. Gibson*  
Signature of Delaware Notarial Officer  
Notary Public  
Title (e.g., Notary Public)

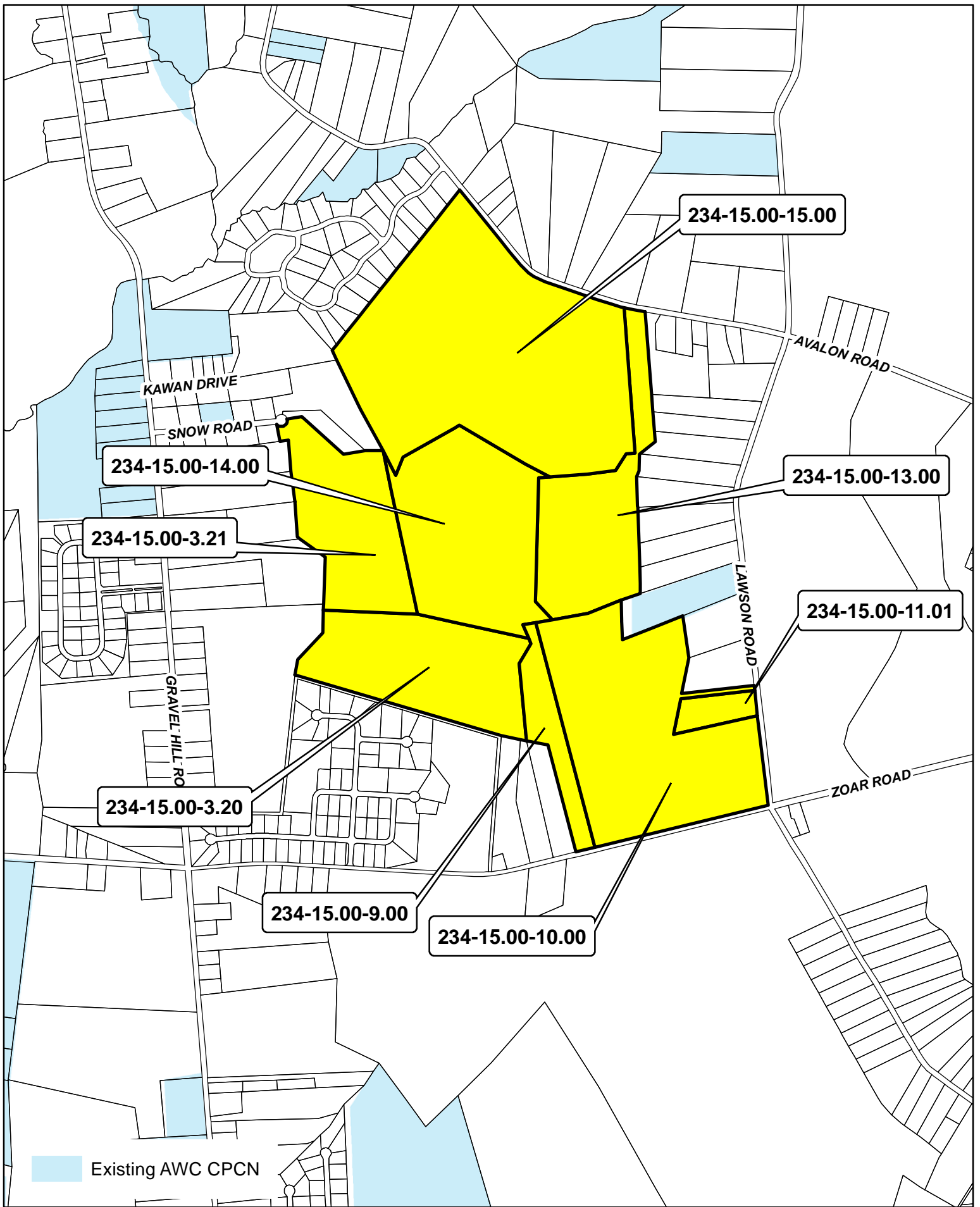


My Commission Expires:  
August 2, 2023

# **EXHIBIT A**

**ZOAR15.00**  
**PROPOSED PARCELS INCLUDED IN CPCN APPLICATION**

	PARCEL ID	PROPERTY ADDRESS	OWNER NAME	MAILING ADDRESS	ALLOCATION PERMIT	EXTENSION OF SERVICE
1)	234-15.00-3.20	N/RT 48	Sussex Land Holdings LLC (Tim Green = Authorized Signer)	20184 Phillips Street Rehoboth, DE 1971	11-0002A (Stonewater Creek)	Water service will be provided through a main extension connected to our regional water system. The Company is unable to estimate when it will provide service.
2)	234-15.00-3.21	E/RT 30	Sussex Land Holdings LLC (Tim Green = Authorized Signer)	20184 Phillips Street Rehoboth, DE 1971	11-0002A (Stonewater Creek)	Water service will be provided through a main extension connected to our regional water system. The Company is unable to estimate when it will provide service.
3)	234-15.00-9.00	N/ZOAR HWY	Sussex Land Holdings LLC (Tim Green = Authorized Signer)	20184 Phillips Street Rehoboth, DE 1971	11-0002A (Stonewater Creek)	Water service will be provided through a main extension connected to our regional water system. The Company is unable to estimate when it will provide service.
4)	234-15.00-10.00	24358 Lawson Rd	Sussex Land Holdings LLC (Tim Green = Authorized Signer)	20184 Phillips Street Rehoboth, DE 1971	11-0002A (Stonewater Creek)	Water service will be provided through a main extension connected to our regional water system. The Company is unable to estimate when it will provide service.
5)	234-15.00-11.01	24296 Lawson Rd	Sussex Land Holdings LLC (Tim Green = Authorized Signer)	20184 Phillips Street Rehoboth, DE 1971	11-0002A (Stonewater Creek)	Water service will be provided through a main extension connected to our regional water system. The Company is unable to estimate when it will provide service.
6)	234-15.00-13.00	S/RD 302A	Sussex Land Holdings LLC (Tim Green = Authorized Signer)	20184 Phillips Street Rehoboth, DE 1971	11-0002A (Stonewater Creek)	Water service will be provided through a main extension connected to our regional water system. The Company is unable to estimate when it will provide service.
7)	234-15.00-14.00	OFF COUNTY RD. 302A	Sussex Land Holdings LLC (Tim Green = Authorized Signer)	20184 Phillips Street Rehoboth, DE 1971	11-0002A (Stonewater Creek)	Water service will be provided through a main extension connected to our regional water system. The Company is unable to estimate when it will provide service.
8)	234-15.00-15.00	S/RT 302A	Sussex Land Holdings LLC (Tim Green = Authorized Signer)	20184 Phillips Street Rehoboth, DE 1971	11-0002A (Stonewater Creek)	Water service will be provided through a main extension connected to our regional water system. The Company is unable to estimate when it will provide service.



# Artesian Water Company Water Service Petition

We the undersigned, request to be included in the water service territory of Artesian Water Company, Inc. for the following property in Sussex County, Delaware.

Parcel Nos.: 234-15.00-3.20, 234-15.00-3.21, 234-15.00-9.00,  
234-15.00-10.00, 234-15.00-11.01, 234-15.00-13.00,  
234-15.00-14.00, 234-15.00-15.00

Property Description: Misc A/C Sussex County

TUG

Property Owner(s): SUSSEX LAND HOLDINGS LLC

Signature: Jim Green Title: Dir. of Land Dev. Date: 5/15/23

Printed: Tim Green

Address: 20184 Phillips St. Telephone (302) 226-1994  
Rehoboth DE 19971

Signature: \_\_\_\_\_ Title: \_\_\_\_\_ Date: \_\_\_\_\_

Printed: \_\_\_\_\_

Address: \_\_\_\_\_ Telephone \_\_\_\_\_

**All legal owners of the parcel must sign for the petition to be valid.  
For parcels owned by individuals simply indicate owner as title.  
For parcels owned by corporations, LLC's or other entities, please provide documentation of the signer's authorization.**

I UNDERSTAND THAT BY SIGNING THIS PETITION MY PROPERTY MAY HAVE TO REMAIN IN ARTESIAN WATER COMPANY, INC'S SERVICE TERRITORY PERMANENTLY. I ALSO UNDERSTAND THAT IT MAY AFFECT MY ABILITY TO OBTAIN A PERMIT FOR A NEW WELL.

IF YOU HAVE ANY QUESTIONS, COMMENTS, OR CONCERNS, PLEASE CONTACT THE PUBLIC SERVICE COMMISSION AT (302) 736-7500 (in Delaware, call 800-282-8574).

Return to:  
Artesian Water Company, Inc.  
664 Churchmans Road  
Newark, DE 19702 Attn: Stephen Joswick







PARID: 234-15.00-10.00  
 SUSSEX LAND HOLDINGS LLC

ROLL: RP  
 24358 LAWSON RD

### Property Information

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Property Location:	24358 LAWSON RD
Unit:	
City:	GEORGETOWN
State:	DE
Zip:	19947
Class:	AGR-Agriculture
Use Code (LUC):	FH-AG W/ HOMESITE IN FAA
Town	00-None
Tax District:	234 – INDIAN RIVER
School District:	1 - INDIAN RIVER
Fire District:	83-Millsboro
Deeded Acres:	69.9001
Frontage:	0
Depth:	.000
Irr Lot:	
Plot Book Page:	26 283/PB
100% Land Value:	\$6,000
100% Improvement Value	\$232,100
100% Total Value	\$238,100

### Legal

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Legal Description	NW/RD 48 RD 296
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### Owners

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Owner	Co-owner	Address	City	State	Zip
SUSSEX LAND HOLDINGS LLC		30 E PINE ST	GEORGETOWN	DE	19947

PARID: 234-15.00-11.01  
 SUSSEX LAND HOLDINGS LLC

ROLL: RP  
 24296 LAWSON RD

### Property Information

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Property Location:	24296 LAWSON RD
Unit:	
City:	GEORGETOWN
State:	DE
Zip:	19947
Class:	AGR-Agriculture
Use Code (LUC):	FH-AG W/ HOMESITE IN FAA
Town	00-None
Tax District:	234 – INDIAN RIVER
School District:	1 - INDIAN RIVER
Fire District:	83-Millsboro
Deeded Acres:	5.0201
Frontage:	0
Depth:	.000
Irr Lot:	
Plot Book Page:	26 283/PB
100% Land Value:	\$3,000
100% Improvement Value	\$66,000
100% Total Value	\$69,000

### Legal

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Legal Description	W/RD 296 837' N/RD 48
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### Owners

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Owner	Co-owner	Address	City	State	Zip
SUSSEX LAND HOLDINGS LLC		30 E PINE ST	GEORGETOWN	DE	19947

PARID: 234-15.00-13.00  
SUSSEX LAND HOLDINGS LLC

ROLL: RP

**Property Information**

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Property Location:

Unit:

City:

State:

Zip:

Class:	AGR-Agriculture
Use Code (LUC):	FG-AG IN FAA
Town	00-None
Tax District:	234 – INDIAN RIVER
School District:	1 - INDIAN RIVER
Fire District:	83-Millsboro
Deeded Acres:	36.0200
Frontage:	0
Depth:	.000
Irr Lot:	
Plot Book Page:	/PB

100% Land Value:	
100% Improvement Value	\$0
100% Total Value	

**Legal**

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Legal Description	S/RD 302A 1321' E OF RD 296 FX
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**Owners**

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Owner	Co-owner	Address	City	State	Zip
SUSSEX LAND HOLDINGS LLC		30 E PINE ST	GEORGETOWN	DE	19947

PARID: 234-15.00-14.00  
SUSSEX LAND HOLDINGS LLC

ROLL: RP

**Property Information**

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Property Location:

Unit:

City:

State:

Zip:

Class:	AGR-Agriculture
Use Code (LUC):	FG-AG IN FAA
Town	00-None
Tax District:	234 – INDIAN RIVER
School District:	1 - INDIAN RIVER
Fire District:	83-Millsboro
Deeded Acres:	54.0000
Frontage:	0
Depth:	.000
Irr Lot:	
Plot Book Page:	/PB

100% Land Value:	
100% Improvement Value	\$0
100% Total Value	

**Legal**

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Legal Description	OFF COUNTY RD. 302A 54 ACRES FX
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**Owners**

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Owner	Co-owner	Address	City	State	Zip
SUSSEX LAND HOLDINGS LLC		30 E PINE ST	GEORGETOWN	DE	19947

PARID: 234-15.00-15.00  
SUSSEX LAND HOLDINGS LLC

ROLL: RP

**Property Information**

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Property Location:

Unit:

City:

State:

Zip:

Class:	AGR-Agriculture
Use Code (LUC):	FG-AG IN FAA
Town	00-None
Tax District:	234 – INDIAN RIVER
School District:	1 - INDIAN RIVER
Fire District:	83-Millsboro
Deeded Acres:	110.8600
Frontage:	0
Depth:	.000
Irr Lot:	
Plot Book Page:	/PB

100% Land Value:	
100% Improvement Value	\$0
100% Total Value	

**Legal**

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Legal Description	S/RT 302A 1600' W OF RT 296 FX
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**Owners**

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Owner	Co-owner	Address	City	State	Zip
SUSSEX LAND HOLDINGS LLC		30 E PINE ST	GEORGETOWN	DE	19947





100 YEARS OF SUPERIOR SERVICE

- ▲ Artesian Water Company, Inc.
- ▲ Artesian Wastewater Management, Inc.
- ▲ Artesian Utility Development, Inc.
- ▲ Artesian Water Maryland, Inc.

664 Churchmans Road, Newark, Delaware 19702  
P.O. Box 15004, Wilmington, Delaware 19850

Tim Green  
Sussex Land Holdings LLC  
20184 Phillips Street  
Rehoboth, DE 19971

# 7021 0350 0001 2103 4070

ENCLOSED IS IMPORTANT  
INFORMATION FROM THE PUBLIC  
SERVICE COMMISSION THAT  
AFFECTS YOUR RIGHTS REGARDING  
WATER SERVICE

## YOU SHOULD READ THIS NOTICE CAREFULLY

Public records list you as a landowner of the property with the following tax map parcel identification number(s): 234-15.00-3.20, 234-15.00-3.21, 234-15.00-9.00, 234-15.00-10.00, 234-15.00-11.01, 234-15.00-13.00, 234-15.00-14.00, 234-15.00-15.00. Within thirty-five (35) days, Artesian Water Company, Inc. plans to file an application with the Delaware Public Service Commission requesting a Certificate of Public Convenience and Necessity (Certificate) to provide water service to a new territory described as ZOAR15.00.

ARTESIAN WATER COMPANY, INC. HAS INCLUDED YOUR PROPERTY IN THE TERRITORY IT INTENDS TO SERVE. ARTESIAN WATER COMPANY, INC IS ABLE TO PROVIDE WATER SERVICE TO YOUR PROPERTY IN THE FUTURE THROUGH A MAIN EXTENSION CONNECTED TO OUR REGIONAL WATER SYSTEM. ARTESIAN WATER COMPANY, INC. IS UNABLE TO ESTIMATE WHEN IT WILL PROVIDE WATER SERVICE TO YOUR PROPERTY.

IF YOU DO NOT TAKE ANY ACTION NOW, YOU MAY LOSE YOUR CHOICE OF WHO CAN PROVIDE WATER SERVICE TO YOUR PROPERTY AND WHETHER YOU CAN OBTAIN A WELL PERMIT.

- 1) **You may choose to be included in the utility's proposed service territory. If you signed a petition for water service asking to be included in the utility's proposed service territory, or, if you did not sign a petition for water service but want to be included, you do not have to take any action.**
- 2) You have the right to "opt-out" of the utility's proposed service territory. If you "opt-out", your property will not be included in the utility's service territory. You can do this even though others might desire water service from the utility. **You should understand that being included in a utility's service territory does not mean that public water service will be immediately available to your property or that, when available, you will be required to hook-up to the public water system.** However, if your property is included in the utility's water service territory, and later the water from the well providing your drinking water cannot be used, the Department of Natural Resources and Environmental Control might deny you a permit for a new well if public water is available to your property. On the other hand, if you elect to "opt-out" of the utility's service territory, but later change your mind and decide to connect to the utility's public water system, you could be charged additional fees.
- 3) You may object to the Public Service Commission granting a Certificate for ZOAR15.00. For example, you may object that the water utility does not have the legal right to serve the territory. You should review the law about what a utility must provide in order to obtain a Certificate (contact the Public Service Commission to obtain a copy of the law). If you file such an objection, you will need to tell the Public Service Commission why the utility should not receive the Certificate. Please note that an objection will not remove your property from a

proposed service territory. To remove your property from the service territory, you must request to "opt-out."

Attached to this letter is a form which allows you (and other owners of the property) to exercise your options. You have seventy-five (75) days from your receipt of this notice to file your objection with the Commission. Although you may exercise your right to "opt-out" of the utility's service territory at any time before the Certificate is granted, if you choose to opt-out, it is requested that you complete the form and return it to the Public Service Commission at the address listed below within seventy-five (75) days from the date you receive this notice:

Delaware Public Service Commission 861 Silver Lake Boulevard  
Cannon Building, Suite 100  
Dover, Delaware 19904

If you want to "opt-out" or object, you must send the completed form to the Public Service Commission, even if you already informed the utility of your intent to "opt-out" or object.

If you have any questions, comments or concerns, please contact the Public Service Commission at (302) 736-7500 (in Delaware, call 800-282-8574).

**PROPERTY OWNER OPT-OUT/OBJECT FORM**

Delaware Public Service Commission  
861 Silver Lake Boulevard  
Cannon Building, Suite 100  
Dover, Delaware 19904

Dear Delaware Public Service Commission:

I/We are the recorded property owner(s), according to current tax records, for the following property/properties:

Tax Map Parcel Identification Number(s): 234-15.00-3.20, 234-15.00-3.21, 234-15.00-9.00, 234-15.00-10.00, 234-15.00-11.01, 234-15.00-13.00, 234-15.00-14.00, 234-15.00-15.00

We received a notice from Artesian Water Company, Inc. that it plans to file an application with the Delaware Public Service Commission for a Certificate of Public Convenience and Necessity (Certificate) to provide water service to a proposed service territory described by Artesian Water Company, Inc. as ZOAR15.00 (hereafter, "Proposed Service Territory").

\_\_\_\_\_ As permitted by applicable law, I hereby opt-out of Artesian Water Company, Inc.'s proposed service territory. I understand that by opting out of the Proposed Service Territory, I may be charged additional fees if I later change my mind and choose to be included in the Proposed Service Territory and receive water service from Artesian Water Company, Inc.

\_\_\_\_\_ I hereby object to the Artesian Water Company, Inc.'s application for the Certificate of Public Convenience and Necessity. I understand that by objecting to the Artesian Water Company, Inc.'s application I am not merely objecting to being included in the Proposed Service Territory (in which case, I may merely opt out as permitted by electing to opt out above), but rather am objecting to the Commission authorizing the Artesian Water Company, Inc. to provide water service to *any territory* within the Proposed Service Territory, including, but not limited to, my own property. The basis of my objection is as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Property Owner(s):            *[Property Owner Name]* \_\_\_\_\_  
   *[Property Owner Address]* \_\_\_\_\_  
   \_\_\_\_\_

Owner's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

7021 0350 0001 2103 4070

U.S. Postal Service™  
CERTIFIED MAIL® RECEIPT  
Domestic Mail Only

S. Joswick

For delivery information, visit our website at [www.usps.com](http://www.usps.com)®.

OFFICIAL USE

Certified Mail Fee	\$
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$
Postage	\$
Total Postage and Fees	\$
Sent To	TIM GREEN SUSSEX LAND HOLDINGS LLC
Street and Apt. No., or PO Box No.	20184 PHILLIPS STREET
City, State, ZIP+4®	REHOBOTH, DE 19971

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions



SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:  
 TIM GREEN  
 SUSSEX LAND HOLDINGS LLC  
 20184 PHILLIPS STREET  
 REHOBOTH, DE 19971



9590 9402 6030 0069 6989 73

2. Article Number (Transfer from service label)  
 7021 0350 0001 2103 4070

COMPLETE THIS SECTION ON DELIVERY

A. Signature  
 X *[Signature]*  Agent  Addressee

B. Received by (Printed Name) C. Date of Delivery  
 Tetiana Uvarov 5/31/23

D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

3. Service Type
- |  |   |
|--|---|
| <input type="checkbox"/> Adult Signature                         | <input type="checkbox"/> Priority Mail Express®                     |
| <input type="checkbox"/> Adult Signature Restricted Delivery     | <input type="checkbox"/> Registered Mail™                           |
| <input checked="" type="checkbox"/> Certified Mail®              | <input type="checkbox"/> Registered Mail Restricted Delivery        |
| <input type="checkbox"/> Certified Mail Restricted Delivery      | <input type="checkbox"/> Return Receipt for Merchandise             |
| <input type="checkbox"/> Collect on Delivery                     | <input type="checkbox"/> Signature Confirmation™                    |
| <input type="checkbox"/> Collect on Delivery Restricted Delivery | <input type="checkbox"/> Signature Confirmation Restricted Delivery |

## Certification of Landowner Information Accuracy

I certify that I received appropriate tax or land documents which verify that the individuals in this Application are either landowners of record or agents authorized to act on behalf of entities that control the parcel(s) included in this CPCN Application. I certify that to the best of my knowledge the petitions to provide water service to parcel(s) noted in this Application have been signed by landowners or by duly authorized agents.

A handwritten signature in black ink that reads "Steph Joswick". The signature is written in a cursive style with a large, stylized 'S' and 'J'.

Stephen Joswick