

COMMONWEALTH OF VIRGINIA  
STATE CORPORATION COMMISSION  
AT RICHMOND, JUNE 17, 2010

CLERK'S OFFICE  
2010 JUN 17 P 5:21  
INCIDENT CONTROL

COMMONWEALTH OF VIRGINIA, *ex rel.*

STATE CORPORATION COMMISSION

v.

CASE NO. PUE-2010-00062

CAPTAIN'S COVE UTILITY COMPANY, INC.

ORDER

On June 17, 2010, the State Corporation Commission ("Commission") issued an Order and Rule to Show Cause (the "Injunction and Rule") against Captain's Cove Utility Company, Inc. ("CCUC" or the "Company"), a certificated water and sewer company regulated by the Commission pursuant to the Small Water or Sewer Public Utility Act, Va. Code § 56-265.13:1 *et seq.* The Injunction and Rule directed the Company to continue providing adequate service to its customers and not to cease or reduce water or wastewater service pending further orders of the Commission. The Injunction and Rule also ordered the Company to appear before the Commission on June 18, 2010, at 11:00 a.m. and show cause why CCUC has failed to secure adequate financial resources to operate and maintain its facilities.

On June 17, 2010, the Company filed a motion wherein it agreed to abide by the terms of the Injunction and Rule by continuing to provide water and wastewater service to its customers pending further order of the Commission but wherein it also requested a continuance of the hearing scheduled on June 18, 2010.

NOW THE COMMISSION, upon consideration of this matter, finds it appropriate to continue the hearing scheduled on June 18, 2010.

Accordingly, IT IS ORDERED THAT:

(1) The hearing currently scheduled on June 18, 2010, is continued pending further order of the Commission.

(2) The Company is directed to continue providing adequate service to its customers, and shall not cease or reduce water or wastewater service pending further orders of the Commission.

(3) This case is continued.

AN ATTESTED COPY hereof shall be sent by the Clerk of the Commission to the registered agent for the Company, Douglas E. Kahle, Esquire, Pender & Coward, 222 Central Park Avenue, Suite 400, Virginia Beach, Virginia 23462; and copies shall also be sent via electronic mail to: Douglas E. Kahle, Esquire, and Mark R.

Baumgartner, Esquire, Pender & Coward, 222 Central Park Avenue, Suite 400, Virginia Beach, Virginia 23462; Dr. Karen Remley, Commissioner of Health, Virginia Department of Health, P.O. Box 2448, Richmond, Virginia 23218-2448; David K. Paylor, Director, Virginia Department of Environmental Quality, 629 East Main Street, P.O. Box 1105, Richmond, Virginia 23218; Wilbur Bowden, President, Captain's Cove Golf and Yacht Club, 3370 Captains Corridor, Greenbackville, Virginia 23356; Michael Inman, Esquire, and Elizabeth M. Dietzmann, Esquire, Inman & Strickler, P.L.C., 575 Lynnhaven Parkway, Suite 200, Virginia Beach, Virginia 23452-7350; C. Meade Browder, Jr., Senior Assistant Attorney General, Division of Consumer Counsel, Office

of Attorney General, 900 East Main Street, 2nd Floor, Richmond, Virginia 23219; and a copy shall be delivered to the Commission's Office of General Counsel.

A True Copy  
Teste:

  
Clerk of the  
State Corporation Commission