



STATE OF NEW JERSEY
Board of Public Utilities
Two Gateway Center
Newark, NJ 07102
www.nj.gov/bpu

WATER

IN THE MATTER OF THE PETITION OF)	ORDER SUSPENDING INCREASES,
UNITED WATER TOMS RIVER, INC.)	CHANGES OR ALTERATIONS IN
FOR APPROVAL OF AN INCREASE IN)	RATES FOR SERVICE
RATES FOR WATER SERVICE AND)	
OTHER TARIFF CHANGES)	BPU DOCKET NO. WR09110934

Stephen B. Genzer, Esq., Saul Ewing LLP, Attorney for Petitioner

BY THE BOARD:

On November 18, 2009, pursuant to N.J.S.A. 48:2-21 and N.J.A.C. 14:1-5.12 et seq., United Water Toms River, Inc. ("UWTR" or "Petitioner"), a public utility of the State of New Jersey subject to the jurisdiction of the New Jersey Board of Public Utilities ("Board"), filed a petition for approval of an increase in rates for water service and other tariff changes amounting to approximately \$9,278,961 or 37% above current revenues. Petitioner proposes to implement the proposed rates on December 18, 2009, which is at least thirty (30) days after the filing of the petition in this matter. Petitioner also notifies the Board that it will implement the proposed rates on August 18, 2010¹, if the Board has suspended the effective date of the new rates pursuant to N.J.S.A. 48:2-21 without having finally determined a just and reasonable tariff schedule prior to that date.

Petitioner does not seek interim rate relief pending final determination on the petition. Petitioner seeks the requested increase, inter alia, to recover increased expenses, planned capital expenditures and for an opportunity to earn a reasonable return on investment in utility plant.

Petitioner serves approximately 50,000 customers located in the central portion of Ocean County generally in Toms River Township (formally known as Dover Township), the Borough of South Toms River and a portion of Berkeley Township.

It appearing that the proposed revisions will increase existing rates and change or alter existing classification in Petitioner's tariff, it is HEREBY ORDERED that:

¹ This order suspends the implementation date until April 18, 2010. Pursuant to N.J.S.A. 48:2-21, the Board could further suspend the implementation date until August 18, 2010

1. Pursuant to N.J.S.A. 48:2-21, the proposed revisions be, and are suspended until April 18, 2010 unless the Board prior to that date makes a determination disposing of the petition;
2. Petitioner shall, at least ten (10) days prior to the date set for hearing on the petition by the Office of Administrative Law, file with this Board and with the Office of Administrative Law (33 Washington Street, Newark, NJ 07102) proof of compliance with the Notice provisions of N.J.S.A. 48:2-32.2 and N.J.A.C. 14:1-5.12 (b) and (c), which Notice shall include a statement that any relief found by the Board to be just and reasonable may be allocated by the Board to any class or classes of customers on any rate or schedule as the Board may determine; and
3. Petitioner shall serve copies of this Order upon the Office of Administrative Law, the Division of Rate Counsel (31 Clinton Street, P. O. Box 46005, Newark, NJ 07102), the clerk of the affected municipality, the clerk of the Board of Chosen Freeholders of the affected county, and where appropriate, the executive officer of the affected county within its service area. Service of this petition, notice of hearings and this Order may be made simultaneously. Proof of service of the Order shall be filed with the Board within fifteen (15) days of the date of this Order.

DATED: 12/17/09

BOARD OF PUBLIC UTILITIES
BY:

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JEANNE M. FOX
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ATTEST:

Kristi Izzo

KRISTI IZZO
SECRETARY

I HEREBY CERTIFY that the within document is a true copy of the original in the files of the Board of Public Utilities

Kristi Izzo

I/M/O The Petition of United Water Toms River, Inc.
For Approval of an Increase in Rates for
Water Service and Other Tariff Changes

BPU Docket No. WR09110934

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