



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 THE)	ORDER SUSPENDING
ATLANTIC CITY SEWERAGE COMPANY FOR)	INCREASES, CHANGES OR
AUTHORIZATION TO INCREASE TARIFF RATES)	ALTERATIONS IN RATES FOR
AND CHARGES FOR SEWERAGE SERVICE)	WASTEWATER SERVICE
)	
)	BPU DOCKET NO. WR09110940

Ira G. Megdal, Esq., Cozen O' Connor for Petitioner

BY THE BOARD:

On November 13, 2009, pursuant to N.J.S.A. 48:2-21 and 2-21.1 and N.J.A.C. 14:1-5.12, Petitioner, the Atlantic City Sewerage Company, Inc. ("Company" or "Petitioner") a public utility of the State of New Jersey subject to the jurisdiction of the New Jersey Board of Public Utilities ("Board"), and providing wastewater service to approximately 7,580 customers within its defined territory consisting of the City of Atlantic City, Atlantic County, New Jersey, filed a petition to increase base wastewater rates in the overall amount of \$1,923,506 or 10.20%. The increase in rates is proposed to become effective on December 15, 2009. The Petitioner does not seek interim rate relief pending final determination on the petition.

According to the petition, Atlantic City seeks the increase to provide for the capital improvements to the Company's sanitary sewerage collection system and the replacement of certain portions of its service territory. Atlantic City also seeks the increase to enable it to continue to provide safe, adequate and proper utility service to its customers, to attract capital and to earn a fair and reasonable return on its investments.

In view of the fact that this proceeding will not be completed by December 14, 2009, and that this matter is expected to be transmitted to the Office of Administrative Law for hearing and determination, a suspension of the proposed rates is warranted.

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

- (1) Pursuant to N.J.S.A. 48:2-21, the proposed revisions be, and are suspended until April 15, 2010, unless the Board prior to that date makes a determination disposing of the petition or enters an Order further suspending the proposed revisions;

- (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 the petition, notice of hearings and this Order may be made simultaneously. Proof of service of this Order shall be filed with the Board within fifteen (15) days of the date of this Order.

DATED: 12/1/09

BOARD OF PUBLIC UTILITIES
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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 THE
ATLANTIC CITY SEWERAGE COMPANY
FOR AUTHORIZATION TO INCREASE TARIFF RATES
AND CHARGES FOR SEWERAGE SERVICE

BPU DOCKET NO. WR09110940

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