



Agenda Date: 2/10/11
Agenda Item: 7A

STATE OF NEW JERSEY
Board of Public Utilities
Two Gateway Center, Suite 801
Newark, NJ 07102
www.nj.gov/bpu/

CUSTOMER ASSISTANCE

IN THE MATTER OF THE PETITION OF GORDON'S
CORNER WATER COMPANY FOR AUTHORIZATION
TO RELOCATE ITS OFFICE PURSUANT TO
N.J.A.C. 14:3-5.1

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ORDER OF APPROVAL

DOCKET NO. WE10080542

Douglas R. Kleinfeld, Esq., Kleinfeld & Kleinfeld, New Providence, New Jersey, on behalf of
Gordon's Corner Water Company, Petitioner

Eric Hartsfield, Director, Division of Customer Assistance, Newark, New Jersey, on behalf of the
Staff of the Board of Public Utilities

Debra F. Robinson, Esq., Managing Attorney – Water and Wastewater, Newark, New Jersey, on
behalf of the Division of Rate Counsel

BY THE BOARD:

On August 5, 2010, Gordon's Corner Water Company ("Company" or "Petitioner") filed a petition with the Board of Public Utilities (Board) pursuant to N.J.A.C. 14:3-5.1 (c) and (e) to relocate its business office from 475 County Road 520, Marlboro, New Jersey to a newly constructed building at 27 Vanderburg Road, Marlboro, New Jersey. Petitioner leased the old office at a cost of \$16,620 per month plus electric and gas bills.

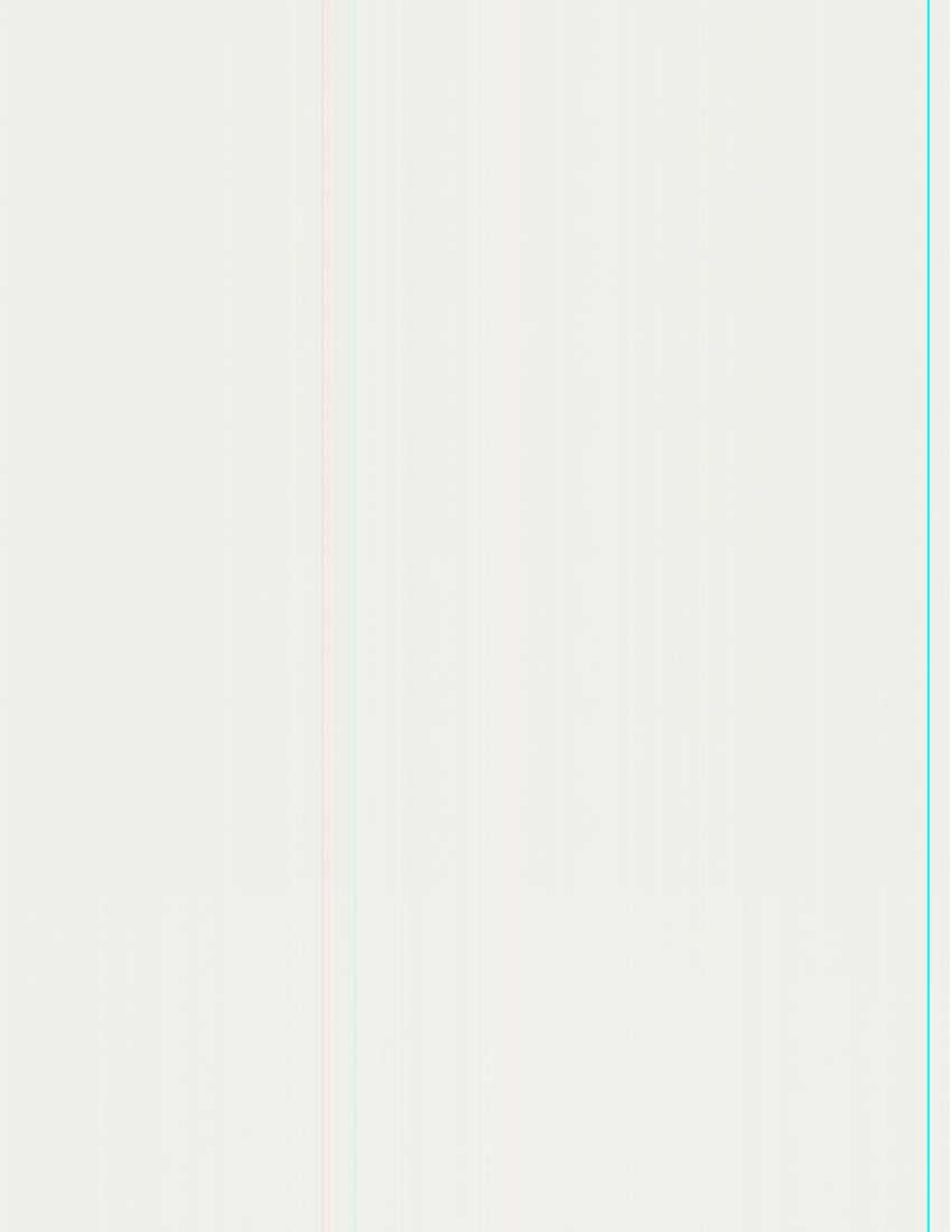
According to the Company, the new office, which is approximately two (2) miles from the former office, will also house all administrative staff of Petitioner, including all technical staff who are presently housed in two (2) separate locations apart from 475 County Road 520, and will also continue to provide the same services to customers, including inquiries and payments. In addition, the Company noted that the new location will be more centrally located to its customers, will be ADA compliant, will include a parking lot dedicated to Petitioner and will maintain the same hours of operation – 8:30 AM to 4:30 PM, Monday through Friday.

After review of the entire record in this matter, including the comments filed on behalf of the Division of Rate Counsel ("Rate Counsel") under cover of letter dated January 4, 2011, the Board HEREBY FINDS:

1. On August 5, 2010, Gordon's Corner Water Company submitted a request pursuant to N.J.A.C. 14:3-5.1 (c) and (e) to relocate its business office from 475 County Road 520, Marlboro, New Jersey to 27 Vanderburg Road, Marlboro, New Jersey;
2. Petitioner provided customers and other interested parties with notification of the proposed relocation by causing newspaper publication of a copy of a Notice in the Asbury Park Press on August 18, 2010, and posted Notice at the former office location, as required by N.J.A.C. 14:3-5.1(e)2;
3. Petitioner actually moved its office to the proposed location in August 2010 prior to obtaining the Board's approval, in violation of N.J.A.C. 14:3-5.1(e)3 and without giving the Board direct notification of the unauthorized relocation;
4. By letter dated November 29, 2010, Petitioner's counsel stated that its failure to adhere to N.J.A.C. 14:3-5.1(e)3 was not intentional and caused by the timing of the completion of the new building and the need to consolidate the Company's utility operations and personnel;
5. No comments or objections were received by the Board following the public notice;
6. Despite the violations of Board rules set out above, the closure of the office located at 475 County Road 520 in Marlboro and its relocation to 27 Vanderberg Road, also in Marlboro, is not unreasonable and will neither unduly prejudice or inconvenience the public nor adversely affect the public interest; and
7. The recommended conditions contained in Rate Counsel's comments are reasonable, consistent with language contained in previous Board Orders dealing with office relocations, and will be set out below.

Based on the foregoing, the Board APPROVES the relocation of Petitioner's office located at 475 County Road 520, Marlboro, New Jersey to 27 Vanderberg Road, Marlboro, New Jersey subject to the following conditions:

1. Petitioner shall maintain the same hours of operation, staffing levels and level of service as were provided at its prior location;
2. This Order shall not be construed as directly or indirectly fixing for any purposes whatsoever the value of any tangible or intangible assets now owned or hereafter to be owned by Petitioner;
3. This Order shall not affect nor in any way limit the exercise of the authority of this Board or of this State, in any future petition or in any proceedings with respect to rates, franchises, service, financing, accounting, capitalization, depreciation or any other matter affecting Petitioner, including any request that may be made to recover costs associated with this move; and

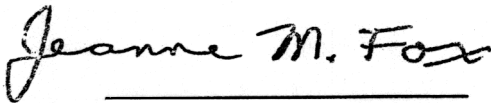


4. Petitioner shall provide for automatic update for customer payments made "outside the normal course" (e.g., to avert service disconnections) immediately to ensure a customer's service is not disconnected when payment has been made;
5. The determination of any assets and fixing the value of such tangible or intangible assets to be included in rate base and the ratemaking impact is addressed in Docket No. WR10060430, the Company's ongoing base rate proceeding which was heard by the Board concurrently with this application. The Company shall not seek any additional recovery of any costs associated with this move except as provided in Docket No. WR10060430.

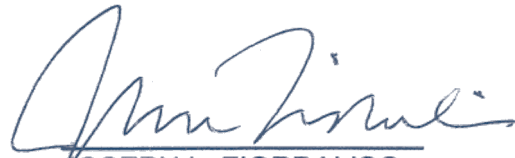
The Board FURTHER DIRECTS that, in the future, Petitioner shall fully comply with all applicable Board rules. Any further violations of Board rules by Petitioner will not be tolerated and will be dealt with by the Board to the full extent permitted by law.

DATED: 2/10/11

BOARD OF PUBLIC UTILITIES
BY:



JEANNE M. FOX
COMMISSIONER



JOSEPH L. FIORDALISO
COMMISSIONER



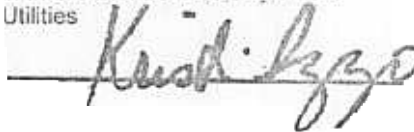
NICHOLAS ASSELTA
COMMISSIONER

ATTEST:



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



**IN THE MATTER OF THE PETITION OF GORDON'S CORNER WATER COMPANY FOR
AUTHORIZATION TO RELOCATE ITS OFFICE PURSUANT TO
N.J.A.C. 14:3-5.1**

DOCKET NO. WE10080542

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Affidavit of Publication

State of New Jersey} SS.
MONMOUTH/OCEAN COUNTIES

Personally appeared by Marissa DellaPietro

of the **Asbury Park Press**, a newspaper printed in Freehold, NJ and published in NEPTUNE, in said County and State, and of general circulation in said county, who being duly sworn, deposeth and saith that the advertisement of which the annexed is a true copy, has been published in the said newspaper

(1) ONE times, once in each issue, as follows

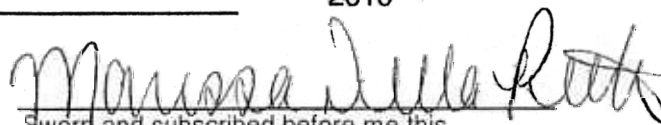
August 18, 2010

SHARON L. BECKETT

NOTARY PUBLIC OF NEW JERSEY


2010

MY COMMISSION EXPIRES APRIL 14, 2013



Sworn and subscribed before me this

1st day of September 2010


Notary Public of New Jersey

To Our Customers:

Please be advised that Gordon's Corner Water Company has applied to the New Jersey Board of Public Utilities for authorization, Pursuant to N.J.A.C 14:3-5.1, to relocate it's office at 475 County RD 520 Marlboro, NJ 07746, to new offices located at 27 Vanderburg RD Marlboro, NJ 07746.

Any customers having comments or objections to the aforesaid relocation of the company's offices, have the right to present those comments or objections to the board, in writing by forwarding them to the Board Secretary, Kristi Izzo, c/o New Jersey Board of Public Utilities, Two Gateway Center, Newark, NJ, 07102.

Please take further notice that all comments or objections must be submitted to the Board by September 15, 2010.

David Ern, Vice President & General Manager
Gordon's Corner Water Company