Agenda Date: 7/14/11 Agenda Item: 5A



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

)

)

)

)

IN THE MATTER OF THE JOINT PETITION OF UNITED WATER GREAT GORGE INC. AND UNITED WATER VERNON SEWERAGE INC. FOR APPROVAL OF AN INCREASE IN RATES AND OTHER TARIFF CHANGES; AND FOR THE APPROVAL TO MERGE THE JOINT PETITIONERS WITH AND INTO A NEW COMPANY, UNITED WATER SEWER SERVICES INC. <u>WATER</u>

ORDER ADOPTING INITIAL DECISION/STIPULATION

BPU DOCKET NO. WR10100785 OAL DOCKET NO. PUC 13984-2010N

Stephen B. Genzer, Esq., Saul Ewing LLP, for Petitioners, United Water Great Gorge Inc, and United Water Vernon Sewerage Inc. **Stefanie A. Brand Esq.**, Director, Division of Rate Counsel

BY THE BOARD:

On October 29, 2010, pursuant to <u>N.J.S.A.</u> 48:2-21, and <u>N.J.A.C.</u> 14:1-5.12, United Water Great Gorge Inc. and United Water Vernon Sewerage Inc. ("the Joint Petitioners" or "the Companies"), public utility corporations of the State of New Jersey subject to the jurisdiction of the Board of Public Utilities ("Board"), filed a joint petition with the Board seeking approval to increase rates for wastewater service and to make other tariff changes. The Companies initial rate request, if approved, would have resulted in an increase of \$212,303 or 23.09% over combined adjusted annual revenues and was proposed to become effective on or after December 1, 2010.

The Joint Petitioners, pursuant to <u>N.J.S.A.</u> 48:2-51.1 and <u>N.J.A.C.</u> 14:1-5.14, also requested approval to merge into a new company to be called United Water Sewer Services, Inc. ("the New Company").

The Companies also sought authority to implement a Purchased Sewerage Treatment Adjustment Clause ("PSTAC") pursuant to <u>N.J.A.C.</u> 14:9-7.1.

By this Order, the Board considers the Initial Decision recommending adoption of the Stipulation of Settlement ("Stipulation") executed by the Companies, the Division of Rate Counsel ("Rate Counsel") and Board Staff (Collectively, "the Parties"), agreeing to an increase of \$98,007 over total present revenues for the Companies of \$917,215. The increase will result in total revenues

for the Companies of \$1,015,222. The Stipulation also agreed to the merger of the Joint Petitioners, to the establishment of a tariff that is consistent with the Companies' new corporate structure, and to the implementation of a PSTAC.

BACKGROUND/PROCEDURAL HISTORY

Joint Petitioners are engaged in the business of collecting, treating and disposing of wastewater for retail service in the Township of Vernon, Sussex County, New Jersey. United Water Great Gorge Inc. provides sewer collection service to approximately 1,500 customers in the Great Gorge Condominiums, Black Creek Sanctuary, and Mountain Creek Hotel/Spa in Vernon, NJ. United Water Vernon Sewerage Inc. provides sewerage transmission service to Mountain Creek Ski Resort and Water Park in Vernon, as well as to UW Great Gorge Inc. As such, the two companies essentially operate as one company, share the same franchise area and are interconnected at multiple points. Pursuant to this merger, the new Company, United Water Sewer Services Inc., would implement a new system-wide tariff which would apply to all of the customers served. Additionally, the Companies have proposed to implement a purchased sewerage treatment adjustment clause.

The petition sought a 23.09% increase in total combined Company revenues was filed on October 29, 2010. The Board transmitted the matter to the Office of Administrative Law ("OAL") on December 14, 2010, where it was assigned to the Honorable Administrative Law Judge ("ALJ") Gail Cookson, under Docket No. PUC 13984-2010. ALJ Cookson convened a Pre-Hearing Conference on February 2, 2011 and issued a Pre-Hearing Order on March 4, 2011. The Board initially suspended the requested increase in rates by Order dated December 6, 2010, until April 1, 2011, and further suspended the requested increase until August 1, 2011, by Order dated March 30, 2011.

After proper notice, a public hearing was held on March 23, 2011 at the Crystal Springs Resort in Vernon, NJ. No members of the public appeared at the Hearing and no comments were provided by the public for the record.

Subsequent to the public hearing, and prior to the scheduled evidentiary hearings in this matter, the Parties held a settlement conference on April 13, 2011. As a result, the Parties reached a settlement on all issues and entered into the Stipulation. A copy of the Stipulation is attached. There were no interveners in this proceeding.

On June 3, 2011, ALJ Cookson issued her Initial Decision recommending adoption of the stipulation executed by the Parties, finding that the Parties had voluntarily agreed to the Stipulation and that the Stipulation fully disposed of all issues and was consistent with law. No exceptions were received by the Board.

DISCUSSION AND FINDINGS

The Stipulation¹ provides for a total proposed increase of \$98,007 or a 10.69% increase over current Company revenues. Rate Base for the purposes of the settlement, is established at \$1,280,000 as of the end of the test year December 31, 2009, adjustment for known and measurable changes. The Rate of Return is set at 8.13% with a common equity component of 10.30%.

¹ Although described in this Order, should there be any conflict between this summary and the Stipulation, the terms of the Stipulation control, subject to the findings and conclusions of this Order.

Pursuant to the Stipulation, the percentage change of approximately 10.7% for the residential customer using approximately 7,038 gallons of water per quarter as a basis to measure sewer service, equates to an annual bill increasing from the current amount of \$469.17 per year to \$519.2828 per year, or from \$117.29 per quarter to \$129.82.

In the petition, the Companies requested that the Board make base level findings relating to the implementation of a Purchased Sewerage Adjustment Clause ("PSTAC"). The Companies indicated that Companies' wastewater is treated and disposed of pursuant to an agreement with Sussex County Municipal Utility Authority. It also indicated that these costs have risen significantly over the last three years. In the stipulations, the Parties agreed that the "Company's request for a PSTAC is approved and the calculation attached as Exhibit C shall form the basis of such charge in future proceedings. In Exhibit C, the Base cost of Purchased Water is \$441,802.

The Signatory Parties also agree that the merger of the Joint Petitioners to the new Company, United Water Sewer Services Inc, should be approved and that this approval is based on the new corporate structure going forward with the tariffs to be approved being consistent with that intention. This proposed merger, pursuant to <u>N.J.S.A.</u> 48:2-51.1 and <u>N.J.A.C.</u> 14:1-5.14, shall not have an adverse impact on competition, rates and employees of the Joint Petitioners, and the provision of safe, adequate and proper utility service by the Joint Petitioners.

As set forth by the Parties the following relates to the proposed Merger.

A. The Proposed Merger will have no Impact on Competition.

There is no retail competition in the water and wastewater utility industry. In addition the companies operate in the same franchise area and have multiple interconnection points. This change is a change in corporate structure. As a result, the proposed Merger will have no adverse effect upon competition.

B. The Proposed Merger will have no Adverse Impact on Rates

The rates charged to joint petitioner customers are otherwise set forth in the stipulation and the consolidation had not impact on the stipulation regarding rates.

C. The Proposed Merger Will Have No Adverse Effect on Employees.

As a result of the merger, there will be no change in the number of part time or full time employees.

D. The Proposed Merger Will Favorably Impact the Provision of Safe, Adequate and Proper Service

United Water Sewer Services, Inc. will continue to make available to its customers all the environmental, technical, operational and financial resources of the United family of companies.

Having reviewed ALJ Cookson's Initial Decision and the Stipulation among the Parties to this proceeding, the Board <u>HEREBY</u> <u>FINDS</u> that the Parties have voluntarily agreed to the Stipulation, that the Stipulation fully disposes of all issues in this proceeding and is consistent with the law. Having considered the magnitude of this increase, the Board <u>HEREBY</u> <u>FINDS</u> that

the proposed rate increase is appropriate. Therefore, the Board <u>HEREBY</u> <u>FINDS</u> the Initial Decision which adopts the Stipulation to be reasonable and in the public interest.

As it relates to the Merger, the Board, having considered the record in this matter, <u>HEREBY</u> <u>FINDS</u> that:

- 1 The proposed Merger is in accordance with law and Merger entered into between the Joint Petitioners as described in the Joint Petition, is not contrary to the public interest.
- 2. The proposed conditions of the Merger are reasonable and appropriate and, in conjunction with existing statutes, provide sufficient means to properly regulate the operations of the Joint Petitioners.
- 3. Based on the record in this proceeding, the statutory criteria set forth in <u>N.J.S.A.</u> 48:2-51.1 are satisfied. The proposed Merger should result in positive benefits because of the continued provision of safe and adequate service to consumers through a combined entity with a uniform vision.
- 4. The proposed Merger and the transactions preliminary to the Merger are not intended to foreclose the any party from addressing ratemaking issues, quality of service issues, or tariff design issues in any future base rate proceeding.

Additionally, in this proceeding, the Companies have submitted and the Parties have agreed that the Companies met their base requirements for a PSTAC. These base requirements shall form the basis of this charge in future proceedings.

Accordingly, the Board <u>HEREBY</u> <u>ADOPTS</u> the Initial Decision and the Stipulation attached hereto, including all attachments and schedules, as its own, incorporating by reference the terms and conditions as if fully set forth herein, subject to the following:

- a) The tariff sheets attached to the Stipulation as Exhibit B containing rates and charges conforming to the Stipulation and designed to produce the additional annual revenues to which the Parties have stipulated herein are <u>HEREBY ACCEPTED</u>.
- b) The stipulated increase and the tariff design allocations for each customer classification are <u>HEREBY ACCEPTED</u>.
- c) The calculation attached to the Stipulation as Exhibit C for the Purchase Sewerage Adjustment Clause shall form the basis of such charge in future proceedings.

The Board <u>HEREBY</u> <u>DIRECTS</u> the New Company to submit a complete revised tariff conforming to the terms and conditions of the Stipulation and this Order within fifteen (15) days from the date of this Order.

This Order shall be effective on July 25, 2011

DATED: 2/14/11

BOARD OF PUBLIC UTILITIES BY:

LEE A. SOLOMON

PRESIDENT

M. Fox

JEANNE M. FOX COMMISSIONER

1 Im Timi

JÓSEPH L. FIORDALISO COMMISSIONER

NICHOLAS ASSELTA

NICHOLAS ASSELT.

ATTEST:

KRIST 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 UNITED WATER GREAT GORGE INC. AND UNITED WATER VERNON SEWERAGE INC. FOR APPROVAL OF AN INCREASE IN RATES AND OTHER TARIFF CHANGES; AND FOR APPROVAL TO MERGE THE JOINT PETITIONERS WITH AND INTO A NEW

BPU DOCKET NO. WR10100785 OAL DOCKET NO. PUCRS 13984-2010

Service List

Stephen B. Genzer, Esq. Saul Ewing LLP, One Riverfront Plaza, 5th Floor, Newark, NJ 07102-5490

Stefanie A. Brand Esq., Director, Division of Rate Counsel, 31 Clinton St, 11th Floor, Newark, NJ 07101

Caroline Vachier, Section Chief Geoffrey Gersten, DAG Alex Moreau, DAG Department of Law and Public Safety Division of Law 124 Halsey St. 5th Floor P.O. Box 45029 Newark, NJ 07101

James Cagle, United Water, Inc. 200 Old Hook Road Harrington Park, NJ 07640

Maria Moran, Director Mike Kammer, Supervising Administrative Analyst Board of Public Utilities Division of Water 44 S. Clinton Ave P.O. Box 350 Trenton, NJ 08625





11 JUN -9 PH 2:44

State of New Jersey OFFICE OF ADMINISTRATIVE LAW

> INITIAL DECISION SETTLEMENT OAL DKT. NO. PUC 13984-10 AGENCY DKT. NO. WR10100785

I/M/O JOINT PETITION OF UNITED WATER GREAT GORGE INC. AND UNITED WATER VERNON SEWAGE INC. FOR APPROVAL OF AN INCREASE IN RATES FOR WASTEWATER SERVICES AND OTHER TARIFF CHANGES; AND FOR APPROVAL TO MERGE THE JOINT PETITIONERS.

Stephen B. Genzer, Esq., for joint petitioners (Saul Ewing, attorneys)

Alex Moreau, Deputy Attorney General, for the Staff of the Board of Public Utilities (Paula T. Dow, Attorney General of New Jersey, attorney)

Susan E. McClure, Assistant Deputy Rate Counsel, for Division of Rate Counsel (Stefanie A. Brand, Director, Rate Counsel, attorney)

Record Closed: June 2, 2011

Decided: June 3, 2011

BEFORE GAIL M. COOKSON, ALJ

On October 29, 2010, United Water Great Gorge Inc. and United Water Vernon Sewage Inc. (Joint Petitioners) filed a joint petition with the Board of Public Utilities for approval of increased rates for wastewater service, to merge into a new company to be called United Water Sewer Services Inc. and to make other tariff changes. The file was

OAL DKT. NO. PUC 13984-10

transmitted to the Office of Administrative Law (OAL) for hearing as a contested case pursuant to <u>N.J.S.A</u>. 52:14B-1 to-15 and <u>N.J.S.A</u>. 52:14F-1 to- 13, on December 14, 2010. A prehearing conference was convened telephonically on February 2, 2011, and a Prehearing Order entered. Staff and Rate Counsel undertook discovery and analysis of the petitioner's request for rate relief. On March 28, 2011, a public hearing was held in Vernon, New Jersey.

Plenary hearing dates were scheduled for May 16-17 and 25-26, 2011. I adjourned the hearings dates consistent with the communications of counsel that a stipulation had been negotiated and the agreement was being drafted. On June 2, 2011, I received a fully-executed Stipulation of Settlement to this matter that more completely sets forth the terms and conditions of the settlement of all issues raised by the filing of the Joint Petitioners.

have reviewed the record and terms of the Stipulation and FIND:

- 1 The parties have voluntarily agreed to the settlement as evidenced by the signatures of the parties or their representatives.
- 2. The settlement fully disposes of all issues in controversy and is consistent with law.

I CONCLUDE that the Stipulation of Settlement meets the requirements of N.J.A.C. 1:1-19.1 and therefore, it is **ORDERED** that the matter be deemed dismissed with prejudice and that these proceedings be and are hereby concluded.

hereby **FILE** my initial decision with the **BOARD OF PUBLIC UTILITIES** for consideration

This recommended decision may be adopted, modified or rejected by the **BOARD OF PUBLIC UTILITIES**, which by law is authorized to make a final decision in this matter. If the Board of Public Utilities does not adopt, modify or reject this decision

2

within forty-five (45) days and unless such time limit is otherwise extended, this recommended decision shall become a final decision in accordance with <u>N.J.S.A</u>. 52:14B-10.

GAIL M. COOKSON, ALJ

<u>June 3, 2011</u> DATE

Date Received at Agency:

Date Mailed to Parties:

JUN - 7 2011

OFFICER AND

CHIEF ADMINISTRATIVE LAW JUDGE

id

STATE OF NEW JERSEY BOARD OF PUBLIC UTILITIES

-2 A 10:08

		. FICE OF ADMIN LAW
IN THE MATTER OF THE JOINT PETITION	:	
OF UNITED WATER GREAT GORGE INC.	:	
AND UNITED WATER VERNON SEWAGE	:	
INC. FOR APPROVAL OF AN INCREASE IN	:	BPU DOCKET NO. WR10100785
RATES AND OTHER TARIFF CHANGES;	:	OAL DOCKET NO. PUC 13984-2010N
AND FOR APPROVAL TO MERGE THE	:	
JOINT PETITIONERS WITH AND INTO A	:	
NEW COMPANY, UNITED WATER SEWER	:	
SERVICES INC.	:	STIPULATION OF
		SETTLEMENT

APPEARANCES

Stephen B. Genzer, Esq., and Colleen A. Foley, Esq., Saul Ewing LLP, on behalf of United Water Great Gorge Inc. and United Water Vernon Sewage Inc., Joint Petitioners

Alex Moreau, Deputy Attorney General (Paula T. Dow, Attorney General of New Jersey), on behalf of the Staff of the New Jersey Board of Public Utilities

Susan E. McClure, Esq., Assistant Deputy Rate Counsel, and Christine M. Juarez, Esq. Assistant Deputy Rate Counsel, on behalf of the Division of Rate Counsel

TO THE HONORABLE BOARD OF PUBLIC UTILITIES:

The Parties in this proceeding are as follows: United Water Great Gorge Inc. and United Water Vernon Sewage Inc. (collectively, the "Joint Petitioners"), the Division of Rate Counsel ("Rate Counsel"), and the Staff of the Board of Public Utilities ("Staff"). As a result of an analysis of the Joint Petitioners' verified petition, pre-filed testimony and exhibits, extensive discovery, and a public comment hearing held in the service area of the companies on March 28, 2011, the Joint Petitioners, Staff and Rate Counsel (collectively, the "Signatory Parties") have come to an agreement on the issues in dispute in this matter. The Signatory Parties hereto agree and stipulate as follows: The procedural history of this matter is as follows:

On October 29, 2010, Joint Petitioners, public utility corporations of the State of New Jersey, pursuant to various statutes and regulations including, inter alia, N.J.S.A. 48:2-21, N.J.S.A. 48:2-51.1 and N.J.A.C. 14:1-5.12 filed a petition to increase rates for wastewater service, to merge into a new company to be called United Water Sewer Services Inc., and to make other tariff changes. Specifically, the Joint Petitioners requested a rate increase of approximately \$213,303 or approximately 23% above the adjusted annual level of revenues of the Joint Petitioners for the twelve month period ending December 31, 2009. In addition to the request to increase rates and to merge, the Joint Petitioners also sought authority to implement a Purchased Wastewater Treatment Adjustment Clause ("PSTAC") pursuant to N.J.A.C. 14:9-7.1 *et seq.*

On December 6, 2010, the Board entered an Order suspending until April 1, 2011, the implementation of changes the Joint Petitioners sought to make to their tariffs. On December 14, 2010, the Board transmitted this matter to the Office of Administrative Law ("OAL"), and Administrative Law Judge ("ALJ") Gail Cookson was assigned to hear the case. A Pre-Hearing Conference was convened by ALJ Cookson on February 2, 2011, and a Pre-Hearing Order was issued on March 4, 2011. On March 30, 2011, the Board entered an Order further suspending until August 1, 2011, the implementation of the Joint Petitioners' proposed rates and tariff changes.

Extensive discovery was conducted by the Parties with Joint Petitioners providing responses to hundreds of data requests, many with multiple parts. After proper notice, a public

comment hearing was held in the Joint Petitioners' service territory on the evening of March 28, 2011.¹

Numerous settlement discussions have been held, and the agreements reached during those discussions have resulted in the following stipulation by the Signatory Parties:

1 The Signatory Parties agree, that for purposes of this settlement, rate base is established at \$1,280,000.

2. The Signatory Parties agree that, for the purposes of this settlement only, an overall rate of return of 8.13 % will be used, which will result in an overall additional revenue requirement of \$98,007. For the purposes of this proceeding, this overall rate of return is calculated with long term debt calculated at a rate of 5.95% and equity calculated at a rate of 10.3%. The additional revenue requirement amount was calculated as follows:

Rate Base	\$	1,280,000
Rate of Return	<u>x</u>	8.13%
Income Requirement	\$	104,064
Pro Forma Income	-	46,993
Income Deficiency		57,071
Revenue Conversion Factor	<u>x</u>	1.71728
Revenue Requirement	\$	98,007
Percent Rate Increase		10.69%

3. The Signatory Parties stipulate that a revenue increase for the Joint Petitioners of \$98,007, or approximately 10.7% over total present water sales revenues of \$917,215, is an appropriate result of this matter. The Signatory Parties recommend that the Board consider the above stipulated revenue increase and all remaining agreed upon issues embodied in this Stipulation, at its next regularly scheduled agenda meeting. The Signatory Parties further acknowledge that any increase or issue contained in this Stipulation, and approved by the Board, will become effective upon the service of a fully executed written Board Order, or upon such

¹ No members of the public appeared to provide comments at the public hearing.

date thereafter that the Board may specify, in accordance with <u>N.J.S.A.</u> 48:2-40. The Signatory Parties agree that this revenue requirement represents a level of revenues necessary to ensure that the Joint Petitioners will continue to provide safe, adequate, and proper wastewater service to their customers.²

4. The Signatory Parties agree that the attached tariff pages (Exhibit A), generally reflecting an across the board implementation of the terms of this Stipulation, should be adopted by the Administrative Law Judge and the Board in their entirety. Attached to this Stipulation as Exhibit B is a Proof of Revenues at proposed rates.

5. The Signatory Parties agree that the merger of the Joint Petitioners should occur as requested, and that this Stipulation has been based on that new corporate structure going forward, with the tariffs to be approved being consistent with that intention.

6. The Signatory Parties agree that for rate purposes covering the calendar years 2011-2020 inclusive, the Joint Petitioners shall amortize a depreciation reserve adjustment each year, for an annual adjustment of \$10,887. Although within this Stipulation, this particular 10 year amortization is binding on the Signatory Parties, and shall resolve this issue permanently.

7. Pursuant to the settlement of this proceeding, the Signatory Parties agree that the Company's request for a PSTAC is approved and the calculation attached as Exhibit C shall form the basis of such charge in future proceedings.

8. Even in situations as unique as this transaction, the Signatory Parties recognize that when considering a transaction pursuant to <u>N.J.S.A.</u> 48:2-51.1 and <u>N.J.A.C.</u> 14:1-5.14, the Board has often evaluated the impact of the proposed merger on competition, on the rates of ratepayers, on the employees of the affected public utilities, and on the provision of safe,

 $^{^{2}}$ Except as noted in the body of the stipulation, this settlement will result in no changes to current amortization periods.

adequate and proper utility service at just and reasonable rates, and to state the impact of such merger on the public which will be realized as a result of the merger. Although this merger is merely attempting to clarify the corporate structure of the Joint Petitioners, the Signatory Parties have agreed upon the following findings:

Rates charged to the Joint Petitioners customers for wastewater service will be set as noted elsewhere in this stipulation and the consolidation between the Joint Petitioners have had no impact on the stipulation regarding the setting of rates.

As a result of this merger, there will be no change in the number of part or full time employees of the Joint Petitioners.

There will be no change in the provision of safe, adequate and proper utility service to any of the Joint Petitioner's customers, and United Water Sewer Services, Inc. will continue to make available to its customers all the environmental, technical, operational and financial resources of the United family of companies.

The proposed reorganization will have no direct, indirect, or measurable impact on competition. Moreover, United Water Sewer Services, Inc. will continue to be subject to the jurisdiction of the Board.

9. This Stipulation is the product of extensive negotiations by the Signatory Parties, and it is an express condition of the settlement embodied by this Stipulation that it be presented to the Board in its entirety without modification or condition. It is also the intent of the Signatory Parties to this Stipulation that this settlement, once accepted and approved by the Board, shall govern all issues specified and agreed to herein. The Signatory Parties to this

-5-

Stipulation specifically agree that if adopted in its entirety by the Board, no appeal shall be taken by them from the order adopting same as to those issues upon which the Signatory Parties have stipulated herein. The Signatory Parties agree that the within Stipulation reflects mutual balancing of various issues and positions and is intended to be accepted and approved in its entirety. Each term is vital to this Stipulation as a whole, since the Signatory Parties hereto expressly state that they would not have signed this Stipulation had any terms been modified in any way. In the event any particular aspect of this Stipulation is not accepted and approved by the Board, then any Signatory Party hereto materially affected thereby shall not be bound to proceed under this Stipulation. The Signatory Parties further agree that the purpose of this Stipulation is to reach fair and reasonable rates, with any compromises being made in the spirit of reaching an agreement. Except as noted in paragraph 6 regarding an adjustment with respect to the Joint Petitioners, <u>supra</u>, none of the Signatory Parties shall be prohibited from or prejudiced in arguing a different policy or position before the Board in any other proceeding, as such agreements pertain only to this matter and to no other matter.

Except as expressly provided herein, the Joint Petitioners, Staff, or Rate Counsel shall not be deemed to have approved, agreed to, or consented to any principle or methodology underlying or supposed to underlie any agreement provided herein and, in total or by specific item, is in no way binding upon them in any other proceeding, except to enforce the terms of this Stipulation. Also, all rates are subject to audit by the Board. 12. This Stipulation may be executed in as many counterparts as there are Signatory Parties of this Stipulation, each of which counterparts shall be an original, but all of which shall constitute one and the same instrument.

> UNITED WATER GREAT GORGE INC. UNITED WATER VERNON SEWAGE INC.

6/1/11 Date

By: Saul Ewing LLP

Saul Ewing LLP Stephen B. Genzer, Esq. Attorney for Joint Petitioners

PAULA T. DOW ATTORNEY GENERAL OF NEW JERSEY Attorney for the Staff of the New Jersey Board of Public Utilities

6////

By: Alex Moreau, DAG

STEFANIE BRAND DIRECTOR, RATE COUNSEL DIVISION OF RATE COUNSEL

Date

By:

Susan E. McClure, Esq. Assistant Deputy Rate Counsel

-7-