

# STATE OF NEW JERSEY

Board of Public Utilities
44 South Clinton Avenue, 3<sup>rd</sup> Floor, Suite 314
Post Office Box 350
Trenton, New Jersey 08625-0350
www.nj.gov/bpu/

		WATER
IN THE MATTER OF THE APPLICATION OF FAYSON LAKE WATER COMPANY FOR THE APPROVAL OF AN INCREASE IN RATES AND OTHER APPROPRIATE RELIEF	) ) )	ORDER FURTHER SUSPENDING INCREASES, CHANGES OR ALTERATIONS IN RATES FOR SERVICE
	) ) )	BPU DOCKET NO. WR17101041 OAL DOCKET NO PUC1611-2017S

### Parties of Record:

**Thomas C. Kelly, Esq.,** Russo Tumulty Nester Thompson & Kelly, LLP, on behalf of Fayson Lake Water Company **Stefanie A. Brand, Esq., Director**, New Jersey Division of Rate Counsel

## BY THE BOARD:

On October 6, 2017, pursuant to N.J.S.A. 48:2-21 and N.J.A.C. 14:1-5.12, Fayson Lake Water Company ("Fayson Lake", "Company" or "Petitioner"), a public utility of the State of New Jersey subject to the jurisdiction of the Board of Public Utilities ("Board"), filed a petition seeking to increase its rates for water service amounting to approximately \$99,836 or 15.11% in additional annual revenues. The increase in rates is proposed to become effective on November 15, 2017.

<sup>&</sup>lt;sup>1</sup> On October 13, 2017, the Company filed a letter with the Board stating that it will not implement rates on November 15, 2017, the proposed effective date for the new rates. The Company advised that it will not implement the proposed rates until a final order of the Board or until the conclusion of the eight month suspension period, whichever occurs first.

Fayson Lake is engaged in the business of collecting, treating and distributing water for retail service to approximately 884 customers in certain portions of the Borough of Kinnelon, Morris County, New Jersey.

The Petitioner states in its petition that its rates are not sufficient to provide for the operating expenses necessary to provide for safe, adequate and proper public service.

On October 30, 2017, the Board transmitted this matter to the Office of Administrative Law for hearings and on November 21, 2017, the Board issued an Order suspending the Company's proposed rate increase until March 15, 2018.

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

- (1) Pursuant to N.J.S.A. 48:2-21, the proposed revisions be, and are further suspended until July 15, 2018, 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 (140 East Front Street, 4th Floor, Post Office Box 003, Trenton, NJ 08625), 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.

This Order shall be effective on March 10, 2018.

DATED: 2/28/18

**BOARD OF PUBLIC UTILITIES** 

JOSEPH L. FIORDALISO

**PRESIDENT** 

MARY-ANNA HOLDEN COMMISSIONER

DIANNE SOLOMON COMMISSIONER

UPENDRA J. CHIVUKULA

COMMISSIONER

RICHARD S. MROZ COMMISSIONER

ATTEST:

AIDA CAMACHO-WELCH

**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 FAYSON LAKE WATER COMPANY FOR THE APPROVAL OF AN INCREASE IN RATES AND OTHER APPROPRIATE RELIEF

### **DOCKET NO. WR17101041**

## **SERVICE LIST**

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